

Answer. Your question referred to a common-market area. This is what I was dealing with.

ADVICE TO THE UNITED STATES ON AFRICA

Question. Is there anything that the U.S., in your opinion, should be doing to restore and maintain stability in Africa?

Answer. Well, I don't know a great deal about what America is doing in the rest of Africa. I have heard some stories, some of which caused me and my colleagues to raise an eyebrow, but I don't know whether there is any truth in these stories, and I think perhaps it would be unwise for me to identify these particular things. I don't want to be provocative.

As far as we are concerned, we would just wish that America and the rest of the world would leave us alone to solve our own affairs.

America, I don't suppose, has done a great deal positively against us. But, at the same time, America has quietly assisted Britain in things like sanctions. I don't know where it is leading them—it certainly isn't in the interest of the black man in Rhodesia, and I think they profess to be trying to help him. I think they have brought more hardship to him than they have to the white man. So I wonder what they are after.

All we want is to be given a chance to prove our case. We reckon that the record proves that we have got a pretty good case here, and in fact many other parts of the

world could look to us for the answer to their problems.

Question. How does devaluation of the British pound affect Rhodesia?

Answer. Fortunately, it is of little consequence to us at the moment, and I think probably it will strengthen us. Had this come about before independence, the consequences would have been quite serious. I've no doubt that we would have been forced to follow suit. But nowadays the position has changed completely—we have realigned ourselves, and I think that this might do us more good than harm.

Question. If the South Africans were to devalue their currency, would Rhodesia have to follow suit?

Answer. This would be a more serious problem for us.

[From the U.S. News & World Report, Apr. 1, 1968]

EDITORIAL COMMENTS

Once again black guerrillas are thrusting into white-ruled Rhodesia.

In Lusaka, capital of black-ruled Zambia, next to Rhodesia, African nationalists called them "freedom fighters," claimed they had inflicted 33 casualties on Rhodesia's forces. From our staff man in Salisbury, Rhodesia:

"Rhodesian planes and ground troops are in action against a sizable group of black terrorists. It's war on a small scale, but it's real guerrilla war."

This time, black guerrillas are better armed, better trained. Thornbush country favors them. Summer rains are ending. Rhodesians say they killed 14 raiders, captured one, lost two Government soldiers—one black, one white—in the first clashes. Guerrilla aim is to reach settled areas of Rhodesia, melt into the black population, then operate as terrorists, guerrilla organizers.

Who backs the black guerrillas? "They get arms and training from Chinese Reds," says our man in Salisbury. But odds now favor Rhodesia's whites, better armed, better trained, better organized. The outlook, from Salisbury:

"As black-guerrilla activity grows, whites of South Africa, Rhodesia and Portuguese Africa tend to unite in a white alliance. Rhodesia looks secure."

The "Pueblo": How Long, Mr. President?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 28, 1968

Mr. SCHERLE. Mr. Speaker, this is the 66th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

SENATE—Friday, March 29, 1968

The Senate met at 9 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

We come to Thee, Heavenly Father, with a very present need. We acknowledge that the bonds which hold the human family together have been broken. Our wisdom has been lacking, our hearts have become increasingly hard, our divisions between man and man, race and race, nation and nation are more apparent from day to day. None of us are free from fault. We have a deep hurt as we look at the world today.

Yet we must look up and see Thee longing to help us. This spring morning gives us new hope in Thy creation. From the dull earth of winter, we see nature reborn in splendor. We remember the words of Jesus, "Marvel not that I said unto you, 'You must be born again.'" Man's nature, O God, needs the touch of a new birth in Thee.

With a new birth in our hearts, our eyes are not dimmed by deep-seated prejudices that feed fear, our attitudes are not stirred by resentment. Our hope is in new opportunities of peace.

We pray for our worthy leaders. Give wisdom, patience, steadfastness, courage, and the gift of love. Here are our minds, our hearts, our lives. Make us anew. We pray in the name of our Lord and Master. Amen.

THE JOURNAL

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Journal of the proceedings of Thursday, March 28, 1968, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MEMPHIS RIOTS AND THE COMING MARCH ON WASHINGTON

Mr. BYRD of West Virginia. Mr. President, we have been hearing for months now that Dr. Martin Luther King, Jr., has been planning a march on Washington and a "civil disobedience campaign" in the Nation's Capital in April.

Yesterday, Mr. President, the Nation was given a preview of what may be in store for this city by the outrageous and despicable riot that Martin Luther King helped to bring about in Memphis, Tenn.

If this self-seeking rabble-rouser is allowed to go through with his plans here, Washington may well be treated to the same kind of violence, destruction, looting, and bloodshed.

In Memphis, people were injured, stores were looted, property was destroyed, terror reigned in the streets, people were beaten by hoodlums, at least one Negro youth is known to have been killed, and massive rioting erupted during a march which was led by this man. It was a shameful and totally uncalled for outburst of lawlessness, undoubtedly encouraged to some considerable degree, at least, by his words and actions, and his presence. There is no reason for us to believe that the same destructive rioting and violence cannot, or that it will not, happen here if King attempts his so-called poor people's march, for what he plans in Washington appears to be something on a far greater scale than what he had indicated he planned to do in Memphis.

When the predictable rioting erupted in Tennessee, Martin Luther King fled

the scene. He took to his heels and disappeared, leaving it to others to cope with the destructive forces he had helped to unleash.

He was due in Washington today, to conduct discussions in furtherance of the demonstration planned for this city. However, as a result of the tragic happening of yesterday, he canceled the conferences in Washington for today. Nonetheless, I do not believe that the implications of the ugly events of yesterday will be lost on local residents—despite the widespread sanction and support that has been offered to King by churches, the YMCA, and many other organizations in the Nation's Capital. I hope that well-meaning Negro leaders and individuals in the Negro community here will now take a new look at this man who gets other people into trouble and then takes off like a scared rabbit. If anybody is to be hurt or killed in the disorder which follows in the wake of his highly publicized marches and demonstrations, he apparently is going to be sure that it will be someone other than Martin Luther.

Mr. President, what occurred yesterday in Memphis was totally uncalled for—just as Martin Luther King's proposed march on Washington is totally uncalled for and totally unnecessary. He himself has been publicly quoted as saying that he thinks nothing constructive, so far as congressional action is concerned, can come out of his campaign here. Yet he says he is coming anyway. Why? To bring about another riot?

Mr. President, the main difference that I see now between what Martin Luther King plans here and what happened in Memphis yesterday is that the Memphis riot he precipitated might best be described as a hit-and-run riot, in

view of his flight, while he was promised that his demonstration in the Federal City may last all summer.

Ostensibly, Martin Luther King went to Memphis to do the same sort of thing he has promised to do here—to "help poor people." He has billed his Washington march as a "poor people's crusade." In Memphis he went to lead striking garbage workers in a march to "help" them, but today, in the aftermath of Thursday's stupid and tragic occurrence, the Negroes he purportedly wanted to help are far worse off than they would have been if he had never gone there, for many are in jail and many are injured—and most certainly race relations have been dealt a severe setback across the Nation, as they have been in Memphis.

Is Washington now to be subjected to the same destruction and bloodshed?

Martin Luther King had no business in Memphis, he should never have gone there for the purpose of leading the protest march—just as he never should come here for the purpose of conducting a poor people's demonstration. There can be no doubt that he must be held directly responsible for much of what took place in Tennessee, and he will have to bear the onus for whatever takes place in Washington if he carries through on his threatened demonstration here.

King, himself, has talked of a crisis-packed situation in connection with his projected Washington demonstration and the erection of his proposed "shanty town," wherever it is to be located, whether among the Tidal Basin's cherry trees, on the Mall, in the District of Columbia Stadium, or elsewhere.

This man, who suffers from the delusion that only his eyes have the divine insight to detect what is wrong in our country, claims he wants to dramatize the plight of the poor. He has declared:

Bitter experience has shown that our Government does not act until it is confronted directly and militantly.

With this as his deceitful theme, King intends to demand greater and more unrealistic governmental subsidies in a year when the Federal Government is already spending over \$25 billion annually to help the poor.

His plan for creating a crisis-packed situation, which he so often foments, is to bring 100 initial demonstrators to the Nation's Capital on April 22 to pressure Congress and Federal executives for more adequate health care and education, increases in jobs and incomes, and numerous other actions. Larger masses of people will begin moving in on April 26, according to a news story written by Willard Clopton, which was published in the Washington Post, of March 28, 1968.

Never before in history has an administration, a Congress, or a Nation's citizenry as a whole devoted as much effort and action toward alleviating the problems of poverty and discrimination. Yet, in the midst of this, the pious Dr. King ominously declares:

We have a national emergency. The prospects of cities aflame is very real indeed, but I would also remind America of the continuing violence perpetrated daily by racism in our society.

If King goes through with his plans now, he will indeed create a crisis-packed situation in Washington, just as his presence created an explosive situation in Memphis.

There are very real dangers, Mr. President—as yesterday's rioting clearly showed—in the sort of irresponsible actions King indulged in in Memphis, and in what he is planning here. The warning signals should be raised, if, indeed, they have not already been. There are dangers from the leader himself, as he so thoroughly demonstrated by not being able to keep down violence in Memphis despite his vaunted policy of nonviolence. And there is certainly danger in the type of gathering he envisions here.

Mr. President, I call attention to one paragraph in an article written again by Willard Clopton, entitled "Riot Spurs Review of March Here," which was published in the Washington Post of this morning. The paragraph reads as follows:

One of the Campaign's organizers said of the Memphis eruption, "It looks like we were 'had' by the extremists. . . . We weren't prepared."

He indicated that the SCLC's usual precautions against violence such as the posting of numerous marshals and monitors, were overlooked yesterday.

King intends to create a black hole of despair with people packed together with pigs and chickens in a "shanty town" lacking sanitation. Surely he must know that to change hearts it is not necessary to turn stomachs. It can be assumed that, however, if yesterday's flight by King from the disorder he had helped to generate was any indication of what he might do here, the "Messiah" himself will not share the squalor he plans and that instead he will be conducting a lay-in at a posh Washington hotel to dramatize some imaginary discrimination there.

In his typical fashion, King intends to build a powder keg village and then plead that no one play with matches nearby lest destruction occur. He lays down the fuses around such a situation, however, with his semantic storehouse of volatile phrases such as "bloodless war," "direct action program," "crisis-packed situation," "dramatic confrontation," "attention-getting activities," "pressure," and "civil disobedience."

King's semantic gyrations have not fooled the American public, because violence has followed him like his shadow. Just as Shakespeare's Iago goaded Othello, the Moor, into committing outrage, King, the ever-correct phrase-maker, manages with saccharin words to produce sanguinary results.

He preaches nonviolence as a characteristic of disobedience. But the new civil disobedience is "civil disturbance." Riots, bombing, and violent protest typify the civil disobedience of today.

The marches in Milwaukee and Chicago last year were chaotic, and the Memphis march Thursday was disastrous. King has called for nonviolence here, but there are people allied with the poor people's campaign who call for the overthrow of the American Government

by violence. Martin Luther King may have been a powerful man in the civil rights movement up to now, but it seems almost impossible to expect that he can control such large groups of militant activists as those he expects to join him in the demonstration here. Or, Mr. President, does he really expect to control them?

Both Stokely Carmichael and H. Rap Brown, if he can get out of jail, have agreed to march with Dr. King on the latter's terms—nonviolence—but how can we, or King, be sure of this? How can we be sure that another Memphis will not erupt? How can we be sure that King's lieutenants will not again have to say, "It looks like we were 'had' by the extremists. We were not prepared."

It is a well-known fact that riots begin when there is some uniting spark to excite a mob. All it would take in a situation like a Washington camp-in would be for some incident to turn the modern Coxe's Army King is raising into an angry, and ugly mob.

If Dr. King's plans to obstruct passage into the departments of the Government and buildings on Capitol Hill are carried out, it is certain that these actions will be met with a counterforce. There would be violence, and there is a great possibility that someone could be injured or killed.

Washington citizens and businessmen are concerned about their city. They do not want Washington to be torn apart by riots or discord.

Washington businessmen have been meeting with District officials and among themselves to draw up plans for the possible coming of the campaign. Hotel Association President Hudson Moses was quoted in the Washington Post on March 1 on what the city might lose as a result of the demonstration. He said:

Several of our members told me they have had group cancellations specifically because of the march. . . . It will cost this city millions of dollars in indirect loss of business and taxes.

Martin Luther King's main target, in Washington, Mr. President, is the Congress, because it has not passed all of the broad legislation that he seeks.

From the beginning, this Washington march and demonstration—if it really seeks the goals that King claims for it—has been poorly conceived and poorly planned. It must be obvious to anyone that people who have to be recruited and trained will not be coming to Washington of their own volition. This will be no spontaneous demonstration, Mr. President, no grassroots movement. This task force he wants to bring here, by King's own admission, must be recruited and "trained."

Some of the recruits, it is said, will come from cities that went up in flames last summer. One can only assume that they will be riot-hardened veterans. One can properly ask, I think: What sort of "training" are they now being given?

Why, Mr. President, do citizens, if their cause and their grievances are just, have to be trained? It seems to me that there is something very sinister here. I am aware, as I have indicated before in these remarks, that Dr. King has said

that his tactics will be nonviolent. But when he sets the stage for violence, how long can his "trained" army and the malcontents, disrupters, militants, and hoodlums already here be expected to remain nonviolent in Washington's long, hot summer?

Mr. President, they may have learned their lessons well from King, who once said:

I do feel that there are two types of laws. One is a just law and one is an unjust law. I think we all have moral obligations to disobey unjust laws. I think that the distinction here is that when one breaks a law that conscience tells him is unjust, he must do it openly, he must do it cheerfully, he must do it lovingly, he must do it civilly, not uncivilly, and he must do it with a willingness to accept the penalty.

King lovingly breaks the law like a boa constrictor. He crushes the very life from it. His willingness to accept the penalty, which is supposed to set him apart from the common lawbreaker, can be judged by his irritation at a court decision which upheld a 5-day jail sentence for King recently. Faced with the prospect of accepting the penalty, King intoned that the decision would "encourage riots and violence in the sense that it all but said that Negroes cannot redress their grievances through peaceful means without facing the kind of decision that we face." Analyze this comment, if you will. Although King states the court decision did not declare that Negroes could not redress their grievances, he seems to say just the opposite and warns that the dire consequences are riots and violence. The English language is like putty in King's hands, but his incantations are loaded with hidden land mines.

Apparently the hoodlums in Memphis yesterday followed King's advice to break laws with which they did not agree. This has been a cardinal principle of his philosophy—a philosophy that leads naturally to the escalation of nonviolence into civil disobedience—which is only a euphemism for lawbreaking and criminality and which escalates next into civil unrest, civil disorder, and insurrection.

Mr. President, I have previously urged, in discussing this matter with the Justice Department, that the Federal Government seek a court order to enjoin Martin Luther King and his pulpless parsons from carrying out their planned poor people's campaign in the Nation's Capital. In the light of yesterday's bloody chapter of violence which erupted with the visit of Martin Luther King to Memphis, I again urge that the Federal Government take steps to prevent King from carrying out his planned harassment of Washington, D.C. An ounce of prevention is worth a pound of cure. It is time for our Federal Government—which in recent years has shown itself to be virtually spineless when it comes to standing up against the lawbreakers, the hoodlums, and the Marxist demonstrators—at least to let the Nation know, in no uncertain terms, that it will not allow this Nobel Peace Prize winner to create another Memphis in the city which serves as the seat of the Government of the United States.

Law-abiding citizens, both Negro and white, in Washington and elsewhere, de-

serve no less from a government, the first duty of which is to preserve law and order.

Mr. President, I ask unanimous consent to have printed in the RECORD the article entitled "Riot Spurs Review of March Here," written by Willard Clopton, to which I have referred; an article entitled "Leaders of March Map Camp-In," written by Willard Clopton, Jr., also published in the Washington Post yesterday; and an article entitled "King's Memphis March Explodes Into Violence—Looter Dies, Curfew Set, Guard Called," written by Nicholas C. Chriss, and published in the Washington Post today.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

RIOT SPURS REVIEW OF MARCH HERE

(By Willard Clopton)

The violence yesterday in Memphis has prompted a review of security precautions for the Poor People's Campaign set to begin here April 22.

"We are all determined that that kind of thing will not happen here," said the Rev. Walter E. Fauntroy, Washington representative of the Southern Christian Leadership Conference, which is staging the Campaign.

Mr. Fauntroy said he was "distressed, as I'm sure all citizens of good will in the country are," at the news of the disturbance that broke out yesterday during the Rev. Dr. Martin Luther King's visit to Memphis. Mr. Fauntroy is vice chairman of the City Council.

Asked what impact the Memphis incident might have on the Poor People's Campaign, Mr. Fauntroy said, "That's what we'll be assessing . . . I just don't know."

Mr. Fauntroy is leaving for Memphis today to confer with Dr. King, presumably about the Washington Campaign.

Dr. King, president of the SCLC, has been touring the country seeking support for the campaign.

Dr. King had planned to spend today in Washington but will remain in Memphis instead, according to Anthony Henry, the Campaign's Washington director.

It was uncertain whether Dr. King would be able to keep a number of speaking engagements Saturday in Virginia, but he is expected to speak Sunday as scheduled at Washington Cathedral.

One of the Campaign's organizers said of the Memphis eruption, "It looks like we were 'had' by the extremists . . . We weren't prepared."

He indicated that the SCLC's usual precautions against violence, such as the posting of numerous marshals and monitors, were overlooked yesterday.

[From the Washington Post, Mar. 28, 1968]

LEADERS OF MARCH MAP CAMP-IN

(By Willard Clopton, Jr.)

Organizers of the Poor People's Campaign, set to begin here April 22, met for the first time yesterday with District and Federal officials to discuss arrangements for the proposed "camp-in."

The 2½-hour closed meeting took place in the office of Nash Castro, regional director of the National Park Service, who said afterward that the discussion focused on possible sites for a tent city to house the first contingent of 3000 demonstrators.

Castro said that both park and non-park locations in Washington were mentioned, but that no decisions were reached and no permits were applied for.

Among those at the meeting was the Rev. Walter E. Fauntroy, City Council member and Washington representative of the Southern Christian Leadership Conference, which

is staging the campaign. Anthony Henry, local director for the project, also attended.

Others present were Julian R. Dugas, director of the District Department of Licenses and Inspections, Chief Walter Lange of the Park Police and two Interior Department attorneys.

The Rev. Dr. Martin Luther King Jr., president of SCLC, said yesterday in New York that the camp-in participants will create a "shanty town in Washington" and remain here 60 to 90 days lobbying for congressional action to help the poor.

He said that if Congress adjourns without taking significant action, the Poor People's Campaign will be taken to the Democratic and Republican National Conventions.

Dr. King also said that because issues are so critical in this election year, "I may deviate from my policy and endorse a candidate for President." He indicated he would make his choice known in about a month.

Dr. King, due in Baltimore for speeches and meetings today, canceled his stopover there to join a one-day Negro work stoppage in Memphis.

The action by the Memphis Negro community is planned in support of striking city sanitation workers. Dr. King has marched with the strikers before.

SCLC officials, meanwhile, sought to clear up published reports that the April camp-in was being delayed. The plan has been that a small delegation would come to Washington on April 22 and that larger masses of people would begin moving in April 26. That has not changed, organization officials in Atlanta said yesterday.

Locally, the campaign gained the support yesterday of the Young Men's Christian Association of Metropolitan Washington.

In a policy statement, the group's directors endorsed the campaign's "lawful, nonviolent efforts . . . to achieve minimal standards of decency for all of our people," in such areas as jobs, housing and education. It called on all area YMCA units to aid the campaigners.

LOOTER DIES, CURFEW SET, GUARD CALLED

(By Nicholas C. Chriss)

MEMPHIS, March 28.—A protest march led by the Rev. Dr. Martin Luther King turned into a bloody riot today which ravaged historic Beale Street and left at least one looter dead.

Police, provoked by a hard-core of about 30 militants who broke off from the march and started breaking windows and looting, struck out vigorously, beating back rioters with billy clubs, tear gas and chemical spray.

At least 37 policemen and marchers were injured as street warfare raged for several hours in a predominantly Negro section of the city just a few blocks from the Mississippi River.

More than 100 persons were arrested. Dr. King fled almost immediately. He was hustled away in a car by associates and reportedly met with them at an undisclosed location.

GUARDSMEN CALLED

Gov. Buford Ellington sent 4,000 National Guardsmen and 250 riot-trained State Troopers into the city and put another 8,000 Guardsmen on alert at their home armories throughout Tennessee.

Mayor Henry Loeb ordered a 7 p.m. to 5 a.m. curfew. All city buses stopped running, although the violence remained confined to the few blocks where it broke out.

The Tennessee Legislature in Nashville, the capital, sped to the Governor an emergency measure granting broad powers to declare a state of emergency. It would allow the mayor in any town of the State to impose curfew, prohibit sale of gasoline, liquor, beer and firearms, and take whatever steps he felt necessary to preserve order.

MILITANTS RESTRAINED

Braxton Bryant, head of the Tennessee Humans Relation Commission, said militant

young Negroes had been seeking to start trouble for weeks, but had been restrained by Negro ministers.

"What the police did today has encouraged plenty of disciples of violence," said Byrant, who is white.

[Washington Post Staff Writers Paul Valentine and Leon Dash, in Memphis tonight, quoted the city's three Negro councilmen as saying that some 300 students became enraged prior to the march when police tried to stop them from leaving Hamilton High School to join the march in support of striking garbage workers.

["The kids were clobbered and Maced (squirited with a chemical spray)," said P. J. Ciampa, an official of the American Federation of State, County and Municipal Employees. By the time they reached the march, he said, they were joined by "quasi-organized hoods" and other nonparticipants in the march.

[At a news conference, Dr. King said the trouble was caused by "those on the sidelines" and not members of the march. He said it is "imperative to press vigorously and relentlessly for the goals" of the march. A smaller scale march is planned for Friday.]

A large segment of the City's Negro population had stayed home from work today to participate in the march and observe Dr. King's request for a one-day "strike" to force the city to come to terms with striking sanitation workers.

An estimated 10,000 Negro students did not show up for classes today.

The March of 6000 to 8000 persons began at 11 a.m. at the Clayborn Temple AME Church, with only two policemen present. It was bound for City Hall.

Dr. King and his monitors never were fully able to control the young militants who began shouting and jeering as the protest march began.

Dr. King was nearly mobbed and repeatedly jostled, and a frightened look crossed his face as the tension increased.

When the march had advanced about five blocks in about 15 minutes to Main Street, the violence erupted. Negro teenagers smashed store windows in the partly residential, partly commercial neighborhood and began looting.

About 250 city policemen and Shelby County patrol officers arrived on the scene in squad cars, sirens screaming.

As officers moved in to scatter or arrest the trouble-makers, they were met with a barrage of stones, heavy planks and bottles.

Policemen barged into the march, firing tear gas and temporarily disabling spray and lashing out with their clubs.

As the marchers retreated back along Main, onto Beale and, in many instances, toward the Clayborn Church, officers followed, raining blows upon them.

Men, women and youths stumbled beneath the police clubs.

A newsman watched from a few feet away as eight policemen piled on a middle-aged Negro man and struck him at least 20 times on the head and body as they cursed him. Nearby, other officers cornered four other Negro men and struck them until blood spurted from head wounds.

"Please don't beat me any more," a young Negro male pleaded through bloody lips.

A young girl in a pink dress, who could not keep up with other fleeing marchers, was jabbed in the back with police nightsticks. One officer yelled at her: "Black —, get out of here."

OFFICER IS BEATEN

Two officers pulled another policeman off a Negro man he was pummeling. The restrained policeman gasped at the other two officers. "I'd have killed that — if you hadn't pulled me back."

Farther down the street, another policeman became separated from fellow officers, and several Negro youths fell on him and beat him.

By noon, three blocks of Beale Street "where the blues were born" was in shambles, as was a short stretch of Main Street and the intersection of Hernando and Linden Streets, where the Clayborn Church is located.

Shards of glass littered the pavement on Beale, and half-dressed, mutilated store manikins lay in gutters.

[Police identified the looter who was killed as Larry Payne, 16, UPI reported. Officers said they caught him inside a store, and that he came out swinging a knife. He was killed by a shotgun blast.

[Much of the violence occurred after the main body of marchers had returned to the church. Instead of following their leaders inside, some of the young Negroes began throwing rocks and bottles at police officers, who replied by lobbing tear gas shells at them. Numerous pawn shops, liquor stores and other businesses were looted by the youths during the hit-and-run raids which followed.

["Man, we've got fires everywhere," said a patrolman guarding firefighters at a store in a Negro neighborhood. He estimated 30 fires were started tonight.]

LOUDSPEAKER PLEA

From the church's loudspeaker system a deep voice, directed at officers lobbing tear gas canisters into the chapel, pleaded:

"Don't gas us no more. We're going to leave. Put that [tear gas] gun down. Don't shoot. Don't you know this is a house of the Lord?"

Officers withheld their tear gas fire, some persons emerged from the church and headed home.

The City has been using nonstrikers, new employees and supervisory personnel to continue partial garbage collection during the seven-week strike which, at the very outset, was fraught with racial overtones because nearly all the strikers are Negro.

The sanitation workers walked off the job after the City rejected their demands for higher pay, city recognition of their union—the American Federation of State, County and Municipal Employees—and payroll deduction of union dues.

Civil rights leaders accused the executive branch of the city government of showing "bad faith" during negotiations.

Mr. STENNIS. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. Yes. There is a 15-minute period for the transaction of morning business.

Mr. STENNIS. I thank the Chair.

Mr. President, the riot in Memphis which has developed out of the announced nonviolent protest march presents a very strong and valuable lesson that the city of Washington would do well to study. The morning press reports that because of these riots, city government authorities here are reassessing plans for the proposed poor people's march on Washington, now scheduled for April 22.

What happened in Memphis clearly shows that the best policy for Washington officials to follow is to stop the marchers at the city limits, allowing a small number of them and their leader, who presumably will be Dr. Martin Luther King, who also led the Memphis march, to come in and speak and otherwise present their case in an orderly manner and, thus, symbolically represent all the other would-be participants.

The idea that in order that some may have the right to protest, others must have the right to loot, burn, and destroy, is, of course, ridiculous. Furthermore, it is self-destructing for the Nation, unless it is stopped.

This is another case in which the Government must have the will to act. The government authorities responsible for keeping peace and order must act firmly and promptly.

It is a tragic situation when practically all of the National Guard of a State must be called out, or at least alerted, in order to protect the businesses and the lives of shopowners, simply to allow unlimited numbers to march and protest, while, nevertheless, violence and loss of life do occur.

There are rights on both sides of this question. While those who protest have a right to do so in an orderly and peaceful manner, other citizens also have rights, particularly to be secure in their persons and in their property.

Mr. President, until we assess the situation further and place the blame on those who are in the wrong rather than categorically blame the police, we are not going to face up to any kind of remedy to meet the situation.

I want to refer to the prospective cost and waste which will go with the huge, planned march on Washington.

Last October, during the march on the Pentagon, Senators may recall, it cost the Government more than \$1 million—I repeat, \$1 million in additional outlays.

I want to give a word of advice and counsel to the colored people and to any others who may be inclined to come to Washington from Mississippi. It is to stay out this march. Nothing good for them or from anyone else can come from it. They run the risk that harm can come to any individual or any group. I mean by that the possibility of personal injury and violence in the course of any demonstrations that may get out of hand.

OUR DOMESTIC MINERALS POLICY AND OUR BALANCE OF PAYMENTS

Mr. HANSEN. Mr. President, I have prepared some remarks on our domestic minerals policy as it affects the balance of payments, which I had intended to deliver in the Senate today. The text of these remarks has already been released to the press.

However, inasmuch as the Senate is now engaged in debate on the very important excise tax bill, and because I do not wish to delay the Senate in the disposition of that bill, I have decided to defer my remarks until next week.

COMMITTEE MEETING DURING SENATE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bills, in

which it requested the concurrence of the Senate:

H.R. 4282. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; and

H.R. 15344. An act to amend section 14 (b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred, as indicated:

H.R. 4282. An act to amend the Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, so as to eliminate certain requirements with respect to effectuating marketing orders for cherries; to the Committee on Agriculture and Forestry.

H.R. 15344. An act to amend section 14(b) of the Federal Reserve Act, as amended, to extend for 2 years the authority of Federal Reserve banks to purchase U.S. obligations directly from the Treasury; to the Committee on Banking and Currency.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

PROPOSED CONCESSION CONTRACT, GRAND TETON NATIONAL PARK

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed contract extension under which Signal Mountain Lodge, Inc., will be authorized to continue to provide accommodations, facilities, and services for the public in Grand Teton National Park, Wyo. (with accompanying papers); to the Committee on Interior and Insular Affairs.

THE 18TH ANNUAL REPORT OF THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA

A letter from the president and national executive director, Girl Scouts of the United States of America, transmitting, pursuant to law, the 18th annual report of the Girl Scouts of the United States of America (with an accompanying report and papers); to the Committee on Labor and Public Welfare.

EXPRESSION OF APPRECIATION TO THE MEN OF THE U.S. ARMED FORCES—RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF GEORGIA

Mr. TALMADGE. Mr. President, I ask unanimous consent to have printed in the RECORD H.R. No. 843, adopted by the House of Representatives of the State of Georgia; and that the resolution be appropriately referred.

There being no objection, the resolution was referred to the Committee on Armed Services and ordered to be printed in the RECORD, as follows:

A RESOLUTION EXPRESSING APPRECIATION TO THE MEN IN THE U.S. ARMED FORCES; AND FOR OTHER PURPOSES

Whereas, many thousands of our finest young men are presently serving in the Armed Forces of the United States; and

Whereas, these young men are dedicated to their Country and to the ideals and principles for which it stands; and

Whereas, over one-half million of our servicemen are presently on duty in Vietnam fighting the spread of Communism and defending the right of the Vietnamese people to live with freedom and dignity; and

Whereas, some of those fine young men are daily paying the supreme sacrifice in the struggle against Communist aggression in Vietnam.

Now, therefore, be it resolved by the House of Representatives that the members of this body do hereby express their sincere appreciation to the men of the United States Armed Forces for their bravery and devotion to duty in serving their Country.

Be it further resolved that the Clerk of the House of Representatives is hereby authorized and directed to transmit an appropriate copy of this resolution to Honorable Lyndon Baines Johnson, President of the United States; Honorable Clark P. Clifford, Secretary of Defense; and to each member of the Georgia delegation to the United States Congress.

Read and adopted in House, March 6, 1968.

GLENN W. ELLARD,
Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with amendments:

S. 2986. A bill to extend Public Law 480, 83d Congress, for 3 years, and for other purposes (Rept. No. 1066); and

H.R. 15398. An act to amend the National School Lunch Act to strengthen and expand food service programs for children, and for other purposes (Rept. No. 1067).

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with an amendment:

H.R. 11527. An act to direct the Secretary of Agriculture to release on behalf of the United States conditions in a deed conveying certain lands to the University of Maine and to provide for conveyance of certain interests in such lands so as to permit such university, subject to certain conditions, to sell, lease, or otherwise dispose of such lands (Rept. No. 1068).

By Mr. MONTROYA, from the Committee on Agriculture and Forestry, with amendments:

S. 1975. A bill to amend section 202 of the Agricultural Act of 1956 (Rept. No. 1069).

By Mr. MCGOVERN, from the Committee on Interior and Insular Affairs, without amendment:

H.R. 10599. An act relating to the Tiwa Indians of Texas (Rept. No. 1070).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

S. 1401. A bill to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes (Rept. No. 1071).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

S. 3260. A bill for the relief of Kam Ching Chau, Kam Chuen Chan, Yip Kuen Chan, Wa Kam Tsang, Leung Chiu Hui, Man Au, Chun Piu Yung, Fong Kee Chan, Ku Yung Chen, Mo Chung Chik, Tin Pui Chui, and Fai Yuen Wong; to the Committee on the Judiciary.

(See the remarks of Mr. NELSON when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3261. A bill for the relief of Poon Tak and Chan Tam Tung; to the Committee on the Judiciary.

By Mr. ANDERSON (for himself and Mr. PASTORE):

S. 3262. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes; to the Joint Committee on Atomic Energy.

By Mr. HATFIELD (for himself and Mr. MORSE):

S. 3263. A bill to provide for holding terms of the U.S. District Court for the District of Oregon at Coquille; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3264. A bill for the relief of Francesco Messano; to the Committee on the Judiciary.

S. 3260—INTRODUCTION OF BILL RELATING TO PROPOSED RELIEF BILL FOR CERTAIN ALIENS

Mr. NELSON. Mr. President, I introduce, for appropriate reference, a bill for the relief of certain aliens. I ask unanimous consent to have printed in the RECORD brief summaries relating to each case involved in the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the summaries will be printed in the RECORD.

The bill (S. 3260) for the relief of Kam Ching Chau, Kam Chuen Chan, Yip Kuen Chan, Wa Kam Tsang, Leung Chiu Hui, Man Au, Chun Piu Yung, Fong Kee Chan, Ku Yung Chen, Mo Chung Chik, Tin Pui Chui, and Fai Yuen Wong, was received, read twice by its title, and referred to the Committee on the Judiciary.

The summaries, presented by Mr. NELSON, are as follows:

YIP KUEN CHAN

(Immigration and Naturalization file
No. A15598180)

Allen is a native of Chung Shan District, Kiangtung Province, China and was born on August 29, 1939.

He is single. His father died in 1950 as a result of persecution at the hands of the Chinese Communists in mainland China. He has a widowed mother, who was last reported alive and is believed to be still living in mainland China.

His father was the owner of agricultural land and of several grocery stores. All these properties are said to have been forfeited to the Chinese Communist Government long before persecution was forced upon him.

Allen escaped from mainland China in December 1957 into Macao thence into Hong Kong, where he remained until June or July 1958. During this brief period in Hong Kong, he earned a bare living by undertaking menial jobs whenever such job-opportunities came by. At that time, jobs were hard to come by although social violence and disruption of law and order were still a long way off; because Hong Kong was already ever so over-crowded.

He had been a crewman for several years before entering the United States on May 16, 1966.

He was apprehended on December 5, 1967 by the Immigration Officers in New York, New York and has since co-operated with the Immigration Service at every inch of the way.

He has no criminal record in or outside of the United States.

He is employed as a cook in an American-Chinese restaurant.

He is required to leave the United States on or before March 18, 1968 to return to

Hong Kong, where he was signed on as ship's crewman. He is afraid to go there because of the fact that Hong Kong is what he believes to be a place where he would suffer from the full effects of the reportedly communist-instigated communal turbulence if he were to fit himself there at this hour of instability.

He has been employed in various New York restaurants as Chinese specialty cook.

WA KAM TSANG

(Immigration and naturalization file No. A14945881)

Alien entered the United States as a non-immigrant crewman on January 11, 1968. He was apprehended by Immigration Officers on February 7, 1968, and was on the same day placed under deportation proceedings.

He was ordered to leave the United States at his expense on or before March 15, 1968.

The only country he will be allowed to go to, immigrationwise, will be Hong Kong from whence he came. However, he is afraid to go to Hong Kong at a time such as at present in fear, as he believes to be the case, that he might be subjected to persecution at the hands of the local communists in Hong Kong, whom he believes the British Authorities have up to now failed to completely subdue.

He was born on November 12, 1942 in Tai Pang, Po On Province, China but was raised and brought up in Lung Kong Village.

He was a student in China. When he found he could no longer withstand the hardship brought upon him to bear following communization of the entire mainland China, he fled to Hong Kong in 1955 with his father.

Arriving Hong Kong in or about July 1955, he continued his studies and, when his father died in 1959, dropped out of further studies owing to financial difficulties.

He took on odd jobs for a few years and in 1964 became a crewman, which post he held until January 1968.

He is married with 3 children, all of whom are presently residing in Hong Kong.

He has no criminal record in or outside of the United States.

LEUNG CHIU HUI

(Immigration and naturalization file No. A15989054)

Alien was born on November 11, 1926 in Swatow, Kwangtung, China. He was a fisherman in China. He owned 3 fishing trawlers and had 12 men working for him as crew for the 3 trawlers.

After the Chinese Communist Regime took over Mainland China from the Chinese Nationalist Government, Alien suffered a great economic blow at the hands of the Chinese Communists. His fishing trawlers were confiscated sometime in 1950. He was forced to work for the Communist Government among his old hands on his erstwhile own trawlers. In this manner, he slaved for about 7 years.

In November 1957, he fled from Communism and escaped into Hong Kong leaving behind his wife and 5 children, who are now still in Communist China.

In September 1960, he got a crewman's job and was shipped out of Hong Kong until March 20, 1967, when he landed in the United States.

He was apprehended by the Immigration Officers on September 25, 1967, since which time he had been placed under deportation proceedings.

He is required to leave the United States at his own expense on or before March 18, 1968. The only country to which his admission is permitted being Hong Kong. And he is afraid to go there at a time when Hong Kong is still said to be unfree from political upheaval. He also fears that while complete law and order are not yet restored, he may suffer tremendously at the hands of the local communists. He asserts that such sufferings are analogous to persecution.

Since his said apprehension, he has co-operated with the Immigration Service to the

best of his ability. He has no criminal record in or outside of the United States.

MAN AU

(Immigration and naturalization file No. A15987157)

Alien was admitted into the United States as non-immigrant crewman on or about June 16, 1966. He was apprehended by the Immigration Officers on July 20, 1967 because of his illegal immigration status and had since been placed under deportation proceedings.

He is required to surrender to the New York District of the Immigration Service for deportation to Hong Kong. The date set for this surrender is March 29, 1968. Alien intends to keep this appointment despite the threat of deportation.

He was born on August 29, 1930 in Sa Tsui Village, Po On District, Kwangtung Province, China. He is married with 3 children. His wife and children are all living in the New Territories, Kowloon, Hong Kong, B.C.C. having all escaped thereto sometime in 1956 from Communist dominated mainland China.

He became a crewman in 1957 until June 16, 1966. From 1956 through 1957 he worked as a managerie attendant for a brief period and then switched over to work in an enamel-ware factory.

While in New York, he worked in various restaurants as cook.

He always co-operated with the Immigration and has no criminal record in or outside of the United States.

CHUN PIU YUNG

(Immigration and naturalization file No. A17 350 273)

Alien was admitted to the United States on November 14, 1966 in Newark, New York, as a non-immigrant crewman. Because of his illegal immigration status, he was apprehended by immigration officers on December 22, 1967 in Schenectady, New York, where he is now residing and working.

He is required to depart the United States at his expense on or before April 4, 1968 and return to Hong Kong from whence he came.

He was born on March 12, 1931 in Singchow Village, Toysan, Kwangtung, China and is married with 5 children. All his family are now residing in Hong Kong.

He escaped from Communist Chinese mainland in 1950 and from 1950 through 1962, worked as a menial worker in construction line. He became a crewman in October 1962 and stayed on in that capacity until 1966.

While in the United States, he worked as a kitchen helper for 5 months and as a specialty cook for 8 months.

After he was placed under deportation proceedings following his apprehension by the Immigration Officers, he co-operated with the Immigration Service to the fullest extent. He has a clear police record both in and/or outside the United States.

FONG KEE CHAN

(Immigration and naturalization file No. A15978608)

Alien is now 29 years old (born on August 29, 1938 in Swatow, Kwangtung, China). He is single. His widowed mother is now residing in Hong Kong dependent upon the alien for support.

He escaped from mainland China in 1950 (sometime in August) and while in Hong Kong, was engaged in various odd jobs for a living until February 1964 when he became a crewman and since that time was shipped out to service at sea right up to May 1, 1966.

On May 1, 1966 he was admitted as non-immigrant crewman and because of his illegal immigrant status was apprehended by Immigration Officers on March 1967. For the same offense, he was charged and dealt with by the United States District Court

Southern District of New York and fined \$100.00. In addition, he was placed under unsupervised parole of Mr. Tye. In the wake of this sentence, he is now required to depart the United States on March 29, 1968 at his expense bound for Hong Kong.

Since his apprehension by the Immigration Officers, he has been in close co-operation with the Immigration Service. Save and except the above Court fine, he has no other police record in or outside the United States.

KU YUNG CHEN

(Immigration and naturalization file No. A15199371)

Alien was born on October 6, 1928 in Chun Kiang City, Kiangsu Province, China and is married with 2 children. His wife and children are residing in Taiwan.

Alien was a Captain in the Nationalist Chinese Army stationed in Taiwan and was demobilized in 1961.

He was admitted to the United States on December 7, 1967 and the admission being illegal (he entered the United States as a crewman) he was soon arrested by the New York Immigration Officers on January 25, 1968.

He has two sisters who are lawful permanent residents in the United States and both are married and residing in Los Angeles, Calif.

He is required to depart from the United States on or before April 3, 1968 at his own expense for Taiwan from whence he came.

He has a clear police record in or outside the United States.

MO CHUNG CHIK

(Immigration and naturalization file No. A17531019)

Alien was admitted to the United States as a non-immigrant crewman on September 6, 1967 and because of this legally faulty entry of the alien, he was arrested by Immigration Officers on January 18, 1968.

He was born on October 13, 1947 in Wei-hai-wai, Shangtung, China, where he lived until November 1958 when he fled from mainland China to come to Hong Kong.

What normally would take 7 days to travel the distance from his native village to Hong Kong, it took him three (3) months to complete the trip. He worked in various capacities whilst in Hong Kong and also as cook. He became a crewman in early 1965 and held on to that post until September 1967.

Whilst in the United States, he has been employed as cook in a restaurant.

He is still under deportation proceedings. He has co-operated with the Immigration Service well.

He has a clear record policewise in or outside the United States.

TIN PUI CHUI

(Immigration and naturalization file No. A15985028)

Alien was born on February 7, 1948 in China, and is single. He last entered the United States on or about April 9, 1967 having been admitted as a nonimmigrant crewman. He was apprehended by the Immigration Officers on July 12, 1967 and has since been placed under deportation proceedings.

At one stage of the said proceedings, the alien through his attorney put forward his request for temporary withholding of his deportation to Hong Kong on the alleged grounds that he fled from China to Hong Kong as a refugee from communism, that he is opposed to communism, that there have recently been communist riots in Hong Kong and that if he were sent to Hong Kong, he would be persecuted by the communists there.

The said request was denied and he is required to depart the U.S. for Hong Kong on March 19, 1968. He did not do so because of the said fear which he still enter-

tains. It is likely that he will be told to surrender to the Immigration Service for deportation to be effected on him, in the almost immediate future.

Otherwise, he has co-operated with the Immigration Service all along. He has no criminal record in the U.S.

FAI YUEN WONG

(Immigration and Naturalization file No. A15991368)

Alien was admitted on September 5, 1967 and was apprehended by the Immigration Officers on January 23, 1968 after having been in the United States for hardly 5 months. He was a crewman found to have overstayed the authorized period of 29 days.

As a result of deportation proceedings which have just been concluded, he is required to leave the United States to return to Hong Kong on or before April 9, 1968 at his own expense.

He was born on March 12, 1928 in Swatow, Kwangtung, China. He is married with 4 children, all of whom now reside in communist China.

He lived in China all along until August 1962 when he escaped into Hong Kong. While in Hong Kong, he worked in a plastics factory from 1962 to 1964. He became a crewman in 1964 and was shipped out of Hong Kong to sea from 1964 to 1967.

During the last few months while in New York, New York, he worked as a presser in Kin Yip Sportswear, Inc. He claims that he always co-operated with the Immigration Service; and has a clear record in or outside of the United States.

TAX ADJUSTMENT ACT OF 1968—AMENDMENTS

AMENDMENTS NOS. 682 THROUGH 691

Mr MORSE submitted 10 amendments, intended to be proposed by him, to the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations, which were ordered to lie on the table and to be printed.

AMENDMENT NO. 692

Mr. BYRD of Virginia submitted an amendment, intended to be proposed by him to House bill 15414, supra, which was ordered to lie on the table and to be printed.

(See reference to the above amendment when submitted by Mr. BYRD of Virginia, which appears under a separate heading.)

HEARINGS ON S. 2923 AND S. 3133

Mr. PROXMIRE. Mr. President, the Subcommittee on Financial Institutions of the Committee on Banking and Currency will hold hearings on S. 3133 to extend for 2 additional years the authority of the appropriate regulatory agencies to regulate the maximum rates of interest which may be paid on time and savings deposits and S. 2923, to extend the authority of the Treasury to sell Government obligations directly to the Federal Reserve Board. These hearings which were previously scheduled for today will be rescheduled for Wednesday, April 3, at 10 a.m., in room 5302, New Senate Office Building. Questions on these hearings should be directed to Mr. Kenneth McLean, room 5306, New Senate Office Building.

THE GREEK CONSTITUTION

Mr. CLARK. Mr. President, I am increasingly concerned about the behavior of the fascist Greek junta with which our State Department is playing so cozy.

I now note that a new constitution, quite undemocratic, one which is entirely inadequate to restore democracy to Greece, is being proposed by the junta.

I ask unanimous consent that an article on the subject, published in the Washington Post this morning, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE GREEK CONSTITUTION

The draft of a new constitution which the Greek junta submitted for debate to the Greek people is an inadequate document which, if put into effect unchanged, would allow a military dictatorship so minded to stay in power virtually forever. When individual rights can be suspended for unspecified "internal dangers"; when the press can be silenced when it "insults the honor" of public officials; when meetings can be banned "if they present a risk for the public security"; if "political" strikes are illegal; if parties can be outlawed for "aims or action opposed to the manifest or indirect fundamental principles" of the state; then this is not a constitution, it is a charade.

Surely the draft constitution requires extensive revision. Foreigners will pay particular attention to the articles touching on basic liberties. Greek democrats likely will extend their concern to the articles governing the relationship of the monarchy, government and legislature. For the aim of a new constitution should be not only to enlarge the realm of freedom but to establish a mechanism of responsible representative government equal to contemporary demands.

This aim cannot be fulfilled unless the Athens regime publishes the contributions to the "full and free public debate" which Premier Papadopoulos offered in releasing the new draft. The refusal of former Premiers Papandreou and Kanellopoulos to deem this offer worthy of serious consideration does not bode well. Moreover, it is anomalous, if not grotesque, that the press should be unleashed only for constitutional discussion; the freeze just ordered on news about Senator Kennedy, for instance, is a crude and offensive play for the favor of President Johnson.

It is perfectly clear that a constitution is no better than those who rule in its name. Only if there is a general respect for the principles it endorses, can it help a nation express its will. On the record so far, there is little reason to believe that the leadership in Athens harbors any serious intent to step out of power soon. On the contrary, its repeated vague mystical pronouncements about purifying Greece have seemed calculated to justify prolonged rule.

There are now hints that the colonels, or the more enlightened ones, perhaps partly out of a previously lacking appreciation of the burdens of power, may be taking another view. It should not be deemed inconceivable that some of them wonder whether they could not trust their nation, fairly launched with a new constitution, to find its own way. The junta should move promptly to show these hints have substance. It could do so by more actively encouraging real discussion of the constitutional draft, and by setting a date for elections under a completed document.

Performance on these lines would justify the United States in restoring, perhaps by stages, that part of its military aid which was halted last year. The purpose of the cutoff was to push the junta to restore con-

stitutional rule. As it makes real progress toward that goal, the United States should concretely signify its approval.

URBAN TRANSPORTATION

Mr. MAGNUSON. Mr. President, in the February 1968 edition of the Nation's Cities there appears an article entitled "Urban Transportation at the Crossroads." The article, written by Seattle Mayor J. D. Braman, provides an excellent synopsis of the current urban transportation situation. Mayor Braman, who is chairman of the National League of Cities Committee on Transportation and Communications, also submits seven principles as guides for the Federal Government in determining jurisdiction for the urban mass transit program.

His experiences in attempting to bring improved mass transportation to the Seattle area have provided Mayor Braman with firsthand knowledge of the problems confronting local governments in urban areas. This article deserves the serious consideration of all of us in the Congress. I ask unanimous consent that Mayor Braman's article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

URBAN TRANSPORTATION AT THE CROSSROADS: HARD DECISIONS MUST BE MADE IN WASHINGTON THIS YEAR

(By J. D. Braman)

The most casual scrutiny of our national goals raises the question of just why we, as a nation, choose to place our emphasis in one area as against another. A comparison which comes to mind is the confidence with which we are moving forward in our plans to land on another planet contrasted to our inability to agree on just how we should improve the quality of our urban environment. Reconciling this difference in attitude poses one of the more difficult tasks for any mayor or urbanologist.

A decision that we will land a man on the moon is backed up by a target date and a programmed budget. The fact that present technology is not capable of performing the task is a matter of limited concern. The dollars, the manpower, the creative genius is set in motion, and the obstacles are brushed aside one by one.

Compare this methodology with the attempts to solve social problems. Rather than a planned long-range program with adequate resources backed by a will to move mountains, we must be satisfied with government by crisis. When a problem in the metropolitan areas reaches dramatic proportion, only then do we act.

If crisis be the yardstick of action, the time has come for us to get moving again. The metropolitan areas of the United States are approaching chaos in the area of public transportation. A transportation system permitting expeditious movement of people and goods is an absolute necessity for our urban centers.

In seeking solutions to our urban transportation problems, a balance must be struck in use of the various modes of transportation that will allow each mode to make its maximum contribution to the improvement of our urban environment.

Programs in the past gave only incidental support to the important role which public mass transportation can play in a coordinated transportation program. The Urban Mass Transit Act of 1964 gave form and direction to the federal government's concern with the problem of how we develop a balanced

transportation system for metropolitan areas. The Housing and Home Finance Administration was given responsibility for this program, properly recognizing the role of public transportation in shaping urban developments.

When the Department of Housing and Urban Development was created, the mass transit program was placed under the aegis of the Assistant Secretary for Metropolitan Development. In the years this program has been operating, lack of adequate appropriations has limited its national impact. The program has, however, acted as a stimulus to many cities and it contains the hope of better days ahead. Congress appropriated \$125 million in fiscal 1968 for the total urban mass transit program. By way of contrast, \$4.4 billion will be made available during the same period for highway construction from the Highway Trust Fund.

The role of public mass transportation once again was reviewed by Congress when it created the Department of Transportation in 1966. President Johnson, in his 1966 Message on Transportation, requested that the Departments of HUD and DOT recommend to him the best procedures to achieve cooperation between the respective departments in their actions as they affect urban areas. In response, Congress again demonstrated that it recognizes the role of mass transportation as an element of urban development. When it created the Department of Transportation, Congress narrowed the Presidential request by addressing itself to the specific problem as follows: "The Secretary [of the Department of Transportation] and the Secretary of Housing and Urban Development shall study and report within one year after the effective date of this Act to the President and the Congress on a logical and efficient organization and location of the urban mass transportation functions in the Executive Branch." (Emphasis added.)

This report is due by April, 1968.

In the past, the focus of federal programs has been entirely too narrow. Not only have they been uncoordinated but at times they have actually worked against each other and in the process have damaged or, in some cases, destroyed the existing social fabric.

The National League of Cities recognizes the need to coordinate transportation and other community programs. Its transportation policy states:

In the development of all modes of transportation systems for service to the nation's urban areas it is imperative that due consideration be given in planning and project implementation to all urban problems interrelated with transportation development such as housing, education, welfare, and local financing. To this end, all federal urban transportation programs must provide for consultation and agreements with local officials on objectives, plans, and specific projects.

All programs which have as their purpose the movement of people and goods into and through urban areas must be concerned at a minimum with the following three objectives:

- (1) A public transportation system must have as its primary purpose the enhancement of the quality of urban environment.
- (2) The particular characteristics of each urban region should determine the transportation modes most appropriate for that area.
- (3) Priority consideration should be given to the funding of a balanced transportation system for urban areas.

Public transportation should be a land use planning tool to be used in improving the quality of the environment.

The NLC Transportation Policy also provides: "The federal government has developed programs of financial assistance for highways, urban mass transportation, airlines, railroads, and waterways but no over-all national policy has been developed for dealing with transportation as an integral and

related system to be dealt with in coordinated and rational manner. Many of our national transportation policies are contradictory and do not allow for the impact of one form of transportation on another."

The federal government has not been completely remiss in recognizing this problem. The 1962 Federal Aid Highway Act requires that each metropolitan area of over 50,000 population develop a comprehensive transportation plan. This is a hopeful sign but falls far short of developing local capability for a balanced transportation system.

Should you wonder why we are floundering in our transportation morass, consider the following:

Development of a total urban system is limited because the public transportation component depends on what has been, up until this point, a relatively minor annual federal appropriation in contrast to assured substantial federal funds for financing the highway program.

Use of highway funds for highway-related public transportation needs is severely restricted by law, notwithstanding the fact that they are actually an adjunct of the highway system.

The Interstate system has done a magnificent job of bringing automobiles into urban areas. But only minimal attention has been paid to the congestion problem which plagues every metropolitan area.

The allocation of federal highway funds according to the classifications of the Interstate and the ABC programs has encouraged development of particular classes of roads in urban areas without proper regard to needs or priorities.

The Transportation Committee of the National League of Cities presently is developing a financing and administrative structure for coordinating urban transportation programs. Hopefully, our plan will eliminate biases inherent in the varied financing approaches and administrative structures that typify present federal support for urban transportation.

The time will shortly be upon us when HUD and DOT will be required to make their joint report on the jurisdiction for the future administration of Urban Mass Transit. In making this judgment, an opportunity is offered to help urban areas solve one of their most provoking problems. I submit that we will not solve the crisis of our nation's cities until we have understood the significance of transportation and its relationship to that crisis. Public transportation should provide every citizen with full access to his community.

The determination of the logical and efficient federal administrative jurisdiction for the urban mass transit program should include consideration of the following:

- (1) A Public Transportation System must have as its primary purpose the enhancement of the quality of the environment.

Adequate provision has to be made to assure that meaningful community values will be maintained or enhanced and that future development, affected by the transportation system, will be of maximum quality as well as being safe, convenient and at a cost which makes it available to the traveling public. The transportation system required to preserve or enhance community values may not at all times meet the traditional standards of financial feasibility for public transportation. Planning and approval processes must also be structured to give appropriate consideration to environmental values. Short-range economics is only one of several essential factors.

- (2) Metropolitan areas should evolve their own transportation solutions.

Administration of public transportation programs must assure that metropolitan areas will be allowed to solve their own transportation problems. Grants should be made directly to the appropriate authority responsible for implementing the plan.

- (3) No one transportation mode should be in a position to exercise undue influence on what the interrelationships of modes should be.

A mechanism must exist to assure that a comprehensive urban transportation network can be planned and developed without domination either through financing patterns or administrative arrangements which favor any particular system.

- (4) Research and development must concern itself with broad economic and social values as well as traditional function-oriented considerations.

Research and development must be oriented toward meeting the particular requirements of urban transportation systems and solving urban needs rather than simply improving the economy and efficiency of a transportation system. A research program must allow a sufficient variety of projects to take into account differing characteristics of various metropolitan areas.

- (5) An administrative arrangement must be developed to give urban public transportation a visibility in federal policy making and budgetary processes that is at least equal to that of other transportation modes.

The administrative structure of the agency or agencies given the responsibility for the urban mass transit program must provide that the individual responsible will have a position of prestige to guarantee that he will have a positive voice in developing policy, administering the program, and recommending budget.

- (6) Urban Mass Transit must be funded as a system if we are to achieve balanced transportation in metropolitan areas.

Any long-range capital improvement program requires the commitment of substantial amounts of money over an extended period of time. In order that intelligent and orderly implementation can be obtained, there has to be assurance that the money committed will be there on the date promised. This is a concern of utmost importance and requires the concurrence and positive support of the agency or agencies to be charged with administering this program.

- (7) Case histories of community efforts in developing urban mass transit systems, as well as technical information, should be made available.

There is a wide variance in the planning capability of different metropolitan areas. All information which is material to establishing a balanced transportation system should be collated and made available. There has been a redundancy of effort which wastes both time and money.

The seven criteria are not submitted as being all inclusive. These are reasonable goals which the Congress and the Executive Branch of our government should take into account as being of primary concern to metropolitan America.

Seattle has been selected to be one of the laboratories in urban survival. We are one of the 63 Model Cities recently designated. A major component of our application, perhaps the most vital element, was the use of rapid transit as an adjunct to a freeway system. We are going to reduce a divisive eight-lane freeway in our ghetto into a unifying boulevard, with the aid of rail rapid transit. The station areas will become community activity centers. Rapid transit will serve as the vertebrae about which we will convert our ghetto into, hopefully, one of the most desirable places in Seattle in which to live.

Urban mass transportation is vital not only to insure the efficient movement of people, but, more important, it is essential to the vitality of our urban areas. The decisions that are being made today will determine the quality of the environment in which metropolitan America will live for generations to come.

THE PUBLIC BROADCASTING CORPORATION

Mr. MAGNUSON. Mr. President, much has been said in recent days about the Public Broadcasting Corporation and its operation.

Last year when the Senate Commerce Committee held hearings on this legislation, the Columbia Broadcasting System announced that it was contributing \$1 million to the Public Broadcasting Corporation.

I ask unanimous consent at this point to make part of the RECORD a copy of a letter from Dr. Frank Stanton, president of the Columbia Broadcasting System, in which he delivered the \$1 million to the Corporation for Public Broadcasting on March 27, 1968, the day the Corporation was officially incorporated.

I commend Dr. Stanton for the contribution and particularly his confidence in the great promise this program has for the citizens of our country.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COLUMBIA BROADCASTING SYSTEM, INC.,
New York, N.Y., March 27, 1968.

Hon. FRANK PACE,
Chairman, Corporation for Public Broadcasting, Washington, D.C.

DEAR MR. PACE: Early last year, when James R. Killian, Jr. made public the recommendations of the Carnegie Commission on Educational Television, of which he was chairman, I sent him the following telegram:

"The report of the Carnegie Commission on Educational Television provides the American people a balanced, realistic and practical approach to a more adequate non-commercial television service. . . . As further evidence of CBS's long-standing endorsement and support of non-commercial television and to help launch the \$25 million enabling endowment for the proposed Corporation for Public Television, CBS pledges an unrestricted gift of \$1 million payable the day the new Corporation is chartered."

I have learned that the Corporation for Public Broadcasting this morning received its charter from the District of Columbia. Hence it is my privilege and great pleasure to hand you, in behalf of Columbia Broadcasting System, Inc., this check for \$1 million.

With it goes CBS's best wishes for the immediate and lasting success of the Corporation in fulfilling the great promise public broadcasting holds for this nation.

Sincerely,

FRANK STANTON,
President.

HOW THE UNITED STATES GOT INTO THIS GOLD MESS

Mr. SYMINGTON. Mr. President, in a recent column, Miss Sylvia Porter summarizes well the major factors which resulted in the recent abolition of the international gold pool and the establishment of a two-price gold system—a "stopgap system."

In brief, the key factors: Vietnam, overcommitment on the part of the United States, lack of domestic financial responsibility.

Faced with the vital task of restoring confidence in the dollar, Miss Porter emphasizes the importance of establishing long overdue priorities as to how we distribute our limited resources.

I ask unanimous consent that the article in question, "How the United States Got Into This Gold Mess," be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Mar. 19, 1968]

YOUR MONEY'S WORTH: HOW THE UNITED STATES GOT INTO THIS GOLD MESS

(By Sylvia Porter)

How did the mighty United States ever get into a position where we could be battered by a world stampede from dollars to gold?

How could mistrust of our dollar and expectations that it would be devalued over last weekend become so widespread that on Friday many European merchants were refusing to accept U.S. currency?

The usual way questions in this sphere are answered is by an analysis of the deficits in our balance of payments. But because of the magnitude of this gold run and the events which triggered it, the questions this time demand a more fundamental answer—specifically:

We got into this mess by pursuing policies abroad and at home which have undermined the faith of even our best foreign friends in our financial responsibility—not to mention our moral integrity and political diplomatic wisdom.

VOTE OF NO CONFIDENCE

In a very real sense, the run on gold this month was a massive vote of no confidence in our Vietnam policies.

It was an indictment of our failure to offset soaring Vietnam spending with higher income taxes and lower non-military spending and thereby to limit the red ink in our budget.

It was a reminder that monetary systems run on faith, a warning that we must make strengthening of the dollar a major goal and pursue the goal relentlessly.

These are serious accusations and behind them is the fact that for 18 years since 1950—with the single exception of 1957—we have spent more money abroad than we have earned abroad and we have thus flooded the world with dollars which can be turned into our gold by qualified foreign holders.

We have each year exported more goods and services than we have imported. But we have also each year turned the multi-billion dollar surpluses in our balance of trade into deficits in our over-all balance of payments by our heavy military spending and economic aid abroad, our mounting tourist sprees and our huge private investments overseas.

WAR CAUSES DEFICIT

In 1967, the surplus in our balance of trade came to \$3.6 billion. But primarily because of our Vietnam war spending, the deficit in our balance of payments came to \$3.5 billion.

What makes this red ink total so important is the fact that under the international monetary system we created at Bretton Woods, New Hampshire, in 1944, the dollar is the Free World's key "reserve currency"—meaning it is used by nations to settle debts with each other and has a status equal to gold. What gives it this status is the fact that the United States stands committed to convert dollars held by qualified foreign creditors into gold on demand at \$35 an ounce.

While most of our creditors have been willing to hold dollars, others have been converting dollar claims into gold. France has been deliberately conspicuous and malicious in her demands. Her gold purchases have been openly designed to promote her vicious anti-American campaign.

Our foreign creditors now hold about \$34

billion of claims against our gold reserve. Our gold reserve is a fraction of that: down to \$11.4 billion from \$24.5 billion in 1949.

GOLD POOL FORMED

But even this disturbing ratio would not have erupted into so violent a crisis had it not been for what until recently was a minor aspect of the system—the existence of free gold markets, notably in London, in which dealers, speculators and hoarders trade in gold.

To hold down the price of gold in the free markets in line with the \$35 price maintained by the United States, the leading financial powers of the Free World formed a "gold pool" in 1961 through which they have been supplying metal to the London market from their own monetary reserves whenever the private demand threatened to send the price soaring. France dropped out of the pool last year. The United States has been contributing 59 percent of the gold fed into the market by the remaining member nations.

Now come the events which triggered the stampede.

In November, the British devaluation of the pound set off a series of gold buying sprees in the free markets on the basis that the U.S. dollar would topple next and we would be compelled to double or triple our official \$35 gold price. France fed rumors into the markets fostering this expectation.

The setbacks the United States has suffered in Vietnam this year have encouraged worldwide doubts that we could win the war. These doubts have encouraged more buying of gold, more destructive rumors about the dollar.

The gold speculators started the rush; the hoarders joined in quickly. Then last week came normally respectable international businessmen frightened by the gold rush and trying to protect their corporations from losing big money by owning dollars. Through it all, the gold pool stood fast and poured metal out of national treasuries into private hands.

Thursday night, the central bankers admitted the madness of catering to the gold fetish. The London gold market was closed on Friday; the gold pool members convened in Washington Saturday and Sunday; the free gold market was set completely "free" yesterday to price gold where it wishes; the United States and other members of the former gold pool are conserving the gold left to them to back up the monetary system.

The stop-gap system buys the United States more time in which to shore up the dollar during the transition toward a new world currency. We're on center stage now.

Tomorrow: How strong is the U.S. dollar?

SENIOR CITIZENS MONTH

Mr. WILLIAMS of New Jersey, Mr. President, on March 1, President Johnson issued a proclamation, designating May as Senior Citizens Month, 1968. Speaking at the Schlesinger Old Folks Home in Beaumont, Tex., the President recalled the efforts of the Federal Government over the last three decades to come to grips with the enormous problems that have faced the elderly in the United States.

In his remarks the President cited the Social Security Act as a "social miracle that has been happening in our country has allowed tens of millions of older people not to give up things, and not to be afraid of their future."

Turning his attention to the medicare program, the President commented:

It is hard to believe that only 2½ years ago, millions of elderly Americans lived in

fear of a sudden medical emergency that could wipe out their savings after a lifetime of hard work.

That was what we called "social insecurity." The enactment of the medicare bill that . . . passed in 1965 eliminated that fear for more than 19 million proud, elderly Americans, nearly 10 percent of the total population of America.

Mr. President, the proclamation for Senior Citizens Month, 1968, begins with a truly meaningful paragraph. It expresses a thought that should be central to all efforts aimed at improving the lot of the elderly. I quote:

The respect we show for older Americans is not an act of charity. It comes from the recognition that this generation owes all it possesses to those who have borne responsibility in years past.

As chairman of the Senate Special Committee on Aging, I commend President Johnson for the great strides he has taken in all aspects of concern for the elderly.

Mr. President, I ask unanimous consent that the President's proclamation on Senior Citizens Month, 1968, be printed at this point in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

SENIOR CITIZENS MONTH, 1968

(Proclamation 3833, March 1, 1968, by the President of the United States of America)

The respect we show for older Americans is not an act of charity. It comes from the recognition that this generation owes all it possesses to those who have borne responsibility in years past.

We have not always recognized the debt we owe them. It was only three decades ago, with the passage of the original Social Security Act in President Roosevelt's administration, that we first began to respond effectively to our continuing national obligation.

In recent years we have begun to make up this moral deficit:

This year 24 million older Americans will receive the highest level of Social Security benefits in the history of the program—thanks to the 13 percent increase in benefits we passed last year. *Ninety* percent of our citizens aged 65 and over are now eligible for retirement benefits under Social Security. Millions of older people have been lifted out of conditions of poverty by increased Social Security benefits. Nearly every one of the 78 million wage earners working today has a future retirement protected by Social Security.

Through Medicare, adopted in 1965, we have at last guaranteed adequate health care to our older citizens—a minimal standard of civilization and decency which required 30 years to achieve. More than 19 million older Americans are now covered by Medicare. During its first year of operation—in fiscal 1967—it paid hospital bills for over 4 million people, and doctor bills for more than 7 million. And it is now providing home health services and other assistance for half a million more.

Since 1963, we have increased the quality and quantity of housing for our senior citizens. Today the Federal commitment in special housing programs for older citizens totals some \$3 billion.

Under the Older Americans Act, passed in 1967, we have increased educational, recreational, and health services. Today that program includes 650 individual local projects reaching older people in their home communities across the land.

Demonstration projects are showing us how to make important advances in nutrition, education, transportation and leisure time activities. We are steadily increasing the number of professionally trained individuals who work with and for the elderly.

We are increasing opportunities for our elder citizens to make use of their talents and experience. Today older Americans serve with great distinction in the VISTA, SCORE, the Foster Grandparent Program, the Peace Corps, and in many community projects and programs of voluntary agencies.

In 1967 we enacted long-overdue legislation which prohibits discrimination because of age in employment.

This is an extraordinary record of achievement in so short a time. I am proud of it, as every American should be.

But we are still far from the day when we can be satisfied with our achievements. Our goal must be to give each man and woman the opportunity to make his years of retirement also years of accomplishment and meaning, good health and economic security.

Perhaps the greatest need of age is the need to know that one's contributions are still valued. In a society where youth is so highly prized, older men and women need to know that their wisdom and experience are also important to their fellow citizens. Their contributions are one of our nation's most valuable assets—a resource that should be celebrated by every generation of Americans.

Now, THEREFORE, I, LYNDON B. JOHNSON, President of the United States of America, do hereby designate the month of May 1968 as Senior Citizens Month.

I call upon the Federal, State and local governments, in partnership with private and voluntary organizations, to join in community efforts to give further meaning to the continuing theme of this special month: Meeting the challenge of the later years.

Let special emphasis this year be placed on making known the contributions that older Americans are making to our welfare. Let us demonstrate the greatness of our society by bringing new meaning and new vigor to the lives of our elders, who built the framework of our present prosperity and greatness.

I invite the Governors of the States, the Governor of the Commonwealth of Puerto Rico, the Commissioner of the District of Columbia, and appropriate officials in other areas subject to the jurisdiction of the United States, to join in the observance of Senior Citizens Month.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

[Filed with the Office of the Federal Register, 4:38 p.m., March 4, 1968]

(NOTE.—Proclamation 3833 was not made public in the form of a White House press release. For the President's remarks upon signing the proclamation, see the preceding item.)

STATEMENT BY SENATOR AND MRS. CASE OF ASSETS, LIABILITIES, AND INCOME FOR 1967

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD the combined statement of my wife and myself of our assets and liabilities at the end of 1967 and our income for that year.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ASSETS

Cash in checking and savings accounts (after provision for Federal income tax for 1967), approximately	\$29,000
Life insurance policies with the following insurers (currently providing for death benefits totaling \$126,000): U.S. Group Life Insurance, Aetna Life Insurance Co., Connecticut General Life Insurance Co., Connecticut Mutual Life Insurance Co., Continental Assurance Co., Equitable Life Assurance Society, Provident Mutual Life Insurance Co. of Philadelphia, Travelers Insurance Co.; cash surrender value	42,443
Retirement contract with Federal employees retirement system (providing for single life annuity effective January 3, 1973 of \$19,932 per annum). Senator Case's own contributions to the fund total, without interest	28,991
Annuity contracts with Teachers Insurance & Annuity Association and College Retirement Equities Fund. As at Dec. 31, 1966, these contracts (estimated to provide an annuity beginning at age 65 of \$986) had an accumulation value of	10,296
Securities as listed in Schedule A—Real estate consisting of residence building lot on Elm Avenue, Rahway, N.J., and house in Washington, D.C. (original cost plus capital expenditures, \$71,400, less mortgage on Washington property, \$11,939)	338,917
Tangible personal property at Rahway apartment and Washington house, estimated	59,461
Contingent interest in a small trust fund of which Chase Manhattan Bank of New York is trustee. Income from this was approximately \$9 in 1967.	10,000

LIABILITIES

None except mortgage above listed.	
INCOME IN 1967	
Senate salary and allowances, \$31,560, less estimated expenses allowable as income tax deductions of \$6,726 (actual expenses considerably exceed this figure)	24,834
Dividends and interest on above securities and accounts	12,382
Lectures and speaking engagements: Brookings Institution, City of Hope, Los Angeles; Honest Ballot Association, Retail Clerks International; St. Mark's School	3,594
Net gains on sales of property	649
Miscellaneous—estates and trusts	84
CLIFFORD P. CASE.	

MARCH 29, 1968.

Schedule A

SECURITIES	Principal amount
Bonds and debentures, at cost (aggregate market value slightly lower)	\$52,735
U.S. Treasury	2,500
American Telephone & Telegraph Co.	11,000
Cincinnati Gas & Electric Co.	4,000
Consolidated Edison Co. of N.Y.	5,000
Consumers Power Co.	5,000
General Motors Acceptance Corp.	5,000
Iowa Electric & Power Co.	5,000
Mountain State Tel. & Tel. Co.	5,000
Southwestern Bell Tel. Co.	5,000
Toledo Electric Co.	5,000

Schedule A—Continued
SECURITIES—continued

	Principal amount
Stocks (common, unless otherwise noted) at market.....	\$286,182
Corporation: No. of Shares	
American Electric Power Co.....	919
American Natural Gas Co.....	548
American Tel. & Tel. Co.....	200
Cities Service Co.....	104
Consolidated Edison Co. of New York.....	400
Consolidated Edison Co. of New York (\$5 preferred).....	50
Detroit Edison Co.....	100
General Electric Co.....	100
General Motors Corp.....	150
Household Finance Corp. (\$4.40 cumulative convertible pre- ferred).....	100
International Business Ma- chines Corp.....	64
Investors Mutual, Inc.....	2,406,028
Kenilworth State Bank.....	21
Madison Gas & Electric Co.....	275
Marine Midland Corp.....	563
Merck & Co., Inc.....	200
Tri-Continental Corp.....	1,200
Union County (N.J.) Trust Co.....	267
Warner-Lambert Pharmaceuti- cal Co.....	200

NEWARK LEADS THE NATION IN
TRIBUTE TO AN AMERICAN
HERO

Mr. WILLIAMS of New Jersey. Mr. President, it seems to me that we spend too little time remembering, and reflecting, on the men and ideas that helped our country grow. Because we are caught up in the urgent matters of today, we sometimes fail to acknowledge that early in our Nation's history, men grappled with equally pressing problems.

I want to remind us today that ours is a nation born of revolution. Ours is a tradition of courage, of endurance, and of great personal sacrifice. The violent upheaval which cut us loose from England's empire, and which gave the world a new and exciting American idea, took its toll in human lives.

Since many were to die in the American Revolution, one man had to be the first to fall. On March 5, 1770, Crispus Attucks, a seaman, led a rag-tag group of colonials in a skirmish with British regulars on King Street, Boston. Attucks fell from a bullet, and lost his life as the first victim of the Revolution.

There is a stone monument to Crispus Attucks standing now on the Boston Common, and the history books and public schools give some passing mention of his name. But I want to point out a different kind of memorial to the memory of America's first fatality in its fight for freedom. I want to cite a different kind of remembrance.

This year, on Tuesday, March 5, the 72 public schools in Newark, N.J., closed in memory of Crispus Attucks. Newark thus became the first city in the Nation to commemorate the day Crispus Attucks was killed.

This public recognition of one man's personal sacrifice in the name of liberty is significant because of what it says to our day, and to our generation. It symbolizes our acknowledgement that brave men stand above the storm and turbulence of an era. It focuses our attention on the meaning of freedom.

Mr. President, Crispus Attucks was a Negro. I am proud that Newark led the way in honoring the memory of a man who gave his life for the American experiment, and who stands as a symbol of Negro involvement in American progress.

An excellent article in the Bergen County, New Jersey Record summarizes the Newark observation of Crispus Attucks Day. I ask unanimous consent to have this account reprinted in the RECORD at this time.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TWO HUNDRED YEARS AFTER—NEWARK'S
SCHOOLS HONOR ATTUCKS

(By Roger Beirne)

The eight bells in the tower of Old North Church, Boston, once rang in tribute to him. The schools in Newark closed for him yesterday. The time between was 200 years.

A Negro and the first American killed in the Boston Massacre of March 5, 1770, Crispus Attucks led a small group of colonials in the first clash between Americans and British troops. Daniel Webster said the skirmish on King Street, Boston, when the unarmed colonials refused to give ground to the tramping, bayonet-jabbing red coats, marked the colonies' initial break with the British Empire.

It was Attucks, a 47-year-old seaman and runaway slave, who stepped before the colonials and united them into resistance with a moving speech. He then led them against the soldiers and was the first to fall—shot as he tried to grab one of their rifles.

The second shot killed Samuel Gray, James Caldwell, a sailor, and Samuel Maverick, a boy of 17, were both wounded and died later.

The two seamen were carried to Faneuil Hall, where large crowds gathered to see their dead heroes.

ALL BURIED TOGETHER

School children of the nation's city ghettos know that Attucks was the first to fall, the first man to die in the War for Freedom. They know, too, how the bells in the Old North Church tolled for him and his fallen friends and how the funeral from Faneuil Hall, which was about to become "The Cradle of American Liberty", was a procession six columns deep. All were buried in one patriots' grave.

A monument on Boston Common commemorates the incident, but only Negro historians spread word of the hero, who is known by a brief sentence in most history books.

The Negro community of Newark, where 26 died in rioting last summer, is honoring Attucks for the third year. The celebration, which includes a program held at the city's art high school last night and a biographical play to be put on Friday, will culminate with a parade on Broad Street March 24.

Next year, all city employees will get Crispus Attucks Day off, according to city officials.

By closing all 72 public schools, Newark became the first city in the nation to declare an official holiday for a Negro. The Newark Human Rights Commission and the Crispus Attucks Association had petitioned the school board for the holiday.

INSPIRATION FOR ALL

Board president Harold Ashby, himself a Negro, agreed, saying that the school population is about 71 percent Negro. "School children are looking for something to inspire them and to build their self-image," he said.

The significance of Attucks' death, according to Negro historian John Hope Franklin, seems to lie in the dramatic connection which it pointed out between the struggle against England and the status of Negroes in America. Franklin writes of Attucks:

"Here was a fugitive slave who, with his bare hands, was willing to resist England to

the point of giving his life. It was a remarkable thing, the colonists reasoned, to have their fight for freedom waged by one who was not as free as they.

"The colonists from the time of the Boston Massacre almost always spoke against slavery and England at the same time."

Twenty years before he gave his life for his country, Crispus Attucks' name was in a paid notice in the Boston Gazette that read in part: "Ran away from his master William Brown of Framingham, on the 30th day of September last, a mulatto fellow, about 27 years of age, named Crispus, 6 feet 2 inches high, short curl'd hair...."

The notice appeared Oct. 2, 1750 and twice the next month. The reward for his return was 10 pounds.

ADDRESS BY SENATOR PERCY BE-
FORE EXECUTIVES CLUB, CHI-
CAGO, ILL.

Mr. BROOKE. Mr. President, I ask unanimous consent to have printed in the RECORD a speech delivered by the distinguished Senator from Illinois [Mr. PERCY] before the Executive Club of Chicago on March 8.

Senator PERCY's remarks on the recommendations of the Commission on Civil Disorders and his statement that only with the help of American business can these recommendations become realities bear careful consideration by all of us.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

Since I last left Chicago, the Democrats have decided to dump Adlai Stevenson and Sarge Shriver, which I think makes Mayor Daley the biggest name dropper in town today.

Anyone who saw the ending of Bonnie and Clyde will know how Adlai and Sarge felt.

I was asked this morning in the press conference whether there would be any conditions under which I would consider running for national office and I said, "Absolutely no conditions whatsoever."

I have thought about it since then. I would like to, just between friends and off the record, of course, make just this one exception. I do foresee some circumstances under which I would be really compelled and required to say yes. If, for instance, in Miami the Republicans nominated Harold Stassen and if Harold Stassen after thinking it over decides not to accept the nomination, then I will accept.

I was also asked whether or not, coming back from Vietnam, I was now a hawk. A hawk, you know, is someone today who pursues the policy where we should recapture Saigon.

I am not going to talk about Vietnam today. I would like to talk about recapturing the American cities. I would like to talk about the job we face at home. I would like to talk about it in the light of the Kerner Commission report.

Hubert Humphrey in a moment of exuberance in Southeast Asia last year said, "We are going to help you build a great society in Southeast Asia." All I can say is, heaven help the Southeast Asians if they build a great society out there like we are building here at home.

Two hundred cities have experienced riots. I believe in a firmness of law enforcement. The mistakes that we made in Detroit cannot be made again. In dealing with criminals, looting and sniping and so forth, we certainly must remain firm and leave the impression we intend to have law and order and not anarchy in this country. But I would be very remiss if I left you with the impression that I felt that that will really solve the problems

that this nation faces. I think anyone who leaves that impression can stand to be corrected.

For I believe the long, hot summers which come but once a year are simply the visible part of the iceberg that comes above the surface because the bitterness, frustration and despair in the American ghettos is year-around. I think it is this aspect of the problem that we must deal with.

America is in a state of crisis today and I think that crisis has been described and fully documented in the United States Riot Commission's report. I think this should be required reading in its full text for all responsible and thinking Americans. The Commission was a distinguished one headed by our own Governor Otto Kerner. There is no man in this room that knows how effective he is better than I do. It was headed by Vice Chairman John Lindsay, a man who is beginning to really understand and know the problems of a big city, and included my distinguished Senate colleague, Ed Brooke. These are moderate, sensible, responsible men and the fact that such men produced a bold, brutally honest report of crisis in America makes it all the more worthy of our attention.

CITIES BECOMING NEGRO GHETTOS

What are the proportions of the crisis described in the Riot Commission report? Listen to these words that you have read many times in the last few days:

"This is our basic conclusion: Our nation is moving toward two societies, one black, one white—separate and unequal."

What the Commission is really saying is that the nation is in a crisis because too many of its major cities are turning into Negro ghettos while the whites flee to the suburbs. Every other night, the City of Miami, coming up through Alabama and through the South, and other I.C. trains, coming every night, bringing as they have year after year, Negro families of the rural communities of the South. Six mornings a week, year after year, morning after morning, as they were this morning, moving trucks are moving white families out of the City of Chicago.

Evidence of this lies all around us. Our ghetto in Chicago is divided into two islands, the West Side with more than 300,000 Negroes and the South Side with over 600,000 Negroes. Fifteen years ago there were only a half a million Negroes in the entire City of Chicago and they lived in different territories, interspersed among white neighborhoods. Now, with almost a million Negroes in Chicago, the spaces between these areas have been abandoned by whites who moved to the suburbs. What is left is 9 square miles of Negro poverty on Chicago's West Side and 30 square miles on the South Side.

In 1950 it was not possible anywhere in Chicago to walk five blocks without passing some white house or white community. On the South Side today, you can start a few blocks from here and you can walk for ten miles almost in a straight line and not pass a single house occupied by a white family. This same pattern is being repeated across the country.

In every ghetto the younger, more restless Negroes are increasingly prone to violence because they feel trapped. Two or three years ago, I visited Joliet Prison twice. I stood out in the courtyard of the County Jail, talked with nine men, who were convicted and ready for the electric chair. [In the aftermath of the '64 campaign] I met with the leaders of the Disciples and the Rangers. I tried to understand what distorted the minds of our youth and I wandered through the streets of the West and the South Sides of Chicago. Meeting with these young people entrapped in the cycle of poverty, inadequate education, inadequate housing, unemployment, more poverty and despair, I came to understand this bit-

terness that exists among the citizens of our own great city.

Here is what the Riot Commission said on jobs: "In the riot cities, Negroes are three times as likely as whites to hold unskilled jobs, which are often part-time, seasonal, low-paying and dead-end. Unemployment rates for Negroes in 1967 was more than double that for whites."

In the time of our lowest national unemployment rate in many years, we have the highest teenage Negro rate of unemployment on record.

What does the Riot Commission say on education? "In critical skills, verbal and reading ability, Negro students are falling farther behind whites with each year of school completed."

I believe that the crisis of our cities, the potential division of our land into two societies—white and black—is the most serious challenge to our way of life, to our ideals, and to our nation since the Civil War. This present battle can be fought and must be fought on two fronts, a hardheaded, realistic, practical ground and also a moral ground.

What can be done? What kind of program can be developed?

There are no cheap and easy solutions to this problem, a problem that has accumulated through the years, although there are those men who would offer such solutions. Let me give you a quotation from one of them.

"Those who instigate the breakdown of law and order are the same ones who want us to lose the war in Southeastern Asia. Both national parties today explain away the breakdown of law and order. They say it is caused by this welfare, it is caused by education, it is caused by health, it is caused by job opportunities. But every man on the street knows it is caused by militant activists, revolutionaries, Communists and anarchists."

You may recognize these words. They were spoken before you three weeks ago by one of the leading proponents of the cheap and easy solution, George Wallace of Alabama.

Every one in this room is here in positions of success and prominence because you deal with facts, not fiction, in the way you run your businesses and your lives.

Every one knows the Negro contribution to the war in Vietnam is double that of the white, that our percentage is substantially lower than the Negro percentage in this country. The deaths and casualties are higher. What Negroes want to see us lose in Southeast Asia when their sons, their sweethearts, their brothers and their boys are out there just like the white boys?

Who could say this is what causes despair and that these are the same as the anarchists in this country?

My friends, how simple life would be if we could accurately blame the riots on a conspiracy by Communists and anarchists. Then perhaps we could ignore the slums with their dark stairways, the urine in the halls, the garbage in the streets, rats as large as cats scurrying among the children, the children crowded four and more to a single bed. According to the Wallace theory of riots, which I can assure you is not subscribed to by J. Edgar Hoover, we could just send out the FBI to round up all the Communists and we would no longer be bothered by this messy business of riots. We would not have to think in terms of hard decisions, in terms of past failures, in terms of sacrifice.

The trouble with the Wallace theory is that it bears little relation to reality. The President's Commission concluded that, "The urban disorders of the summer of 1967 were not caused by, nor were they the consequence of any organized plan or 'conspiracy.'"

Now one may accept the conclusions of men like Otto Kerner, John Lindsay, Chuck Thornton, Chairman of Litton Industries; Hubert Jenkins, the Chief of Police in At-

lanta, Georgia, or the conclusions of George Wallace.

I, for one, and I think you for another, will accept the conclusions of the Commission and then start to put those facts to work in finding solutions to these grave problems.

During his appearance here, former Governor Wallace, was asked for his solution to the racial problem. He said that, "If the Negroes and whites in Illinois and Alabama will take advantage of education offered by the state, they can find a good place in our economy. That is the solution to it."

Combined with Mr. Wallace's violent opposition to federal participation in education, that sounds to me like too neat a solution.

State education, unhampered by the "intellectual morons" as he termed them, in Washington, will save the day. I suppose he meant an intellectual moron like John Gardner, one of the great Americans that we have.

Or perhaps an intellectual moron like Commissioner Howe, Commissioner of Education, a great intellect and a great American.

You get the impression from Governor Wallace that he is taking care of his State's problems all alone. I called my office this morning and I asked my staff to find out what the federal subsidy was to the State of Alabama in the last fiscal year. In fiscal 1967, through the Department of Health, Education, and Welfare, Alabama received three-quarters of a billion dollars. It received 167,000,000 dollars from the Department of Housing and Urban Development alone.

Now let's see how Mr. Wallace's theory squares with the facts, remembering that Alabama ranks 22nd among the States in population.

In the Governor's own state, school teachers are among the lowest paid in the nation, despite all of this federal assistance. Alabama ranks fifth among the 50 states in the number of illiterates over the age of 14. It ranks third in the number of high school dropouts. The uneducated and illiterate of Alabama too frequently can't get decent paying jobs. By the tens of thousands, for years they have been going off the farms of Alabama and coming right here to Chicago and with their lack of education and understanding of how to live in an urban community, year after year they swell our own relief rolls. Cities like Chicago, year after year, must absorb these people, ill-equipped as they are, into our growing ghettos. They are the have-nots in a have society.

This leads to the kind of urban restlessness which has brought us to a state of crisis. So you see, haranguing against the Federal Government is not really such a constructive solution after all. In fact, I think it is a down-right dangerous solution because it would delude people such as yourselves into feeling you could leave the room and let it be someone else's problem. I can tell you it is not. It is our problem.

It is our problem, and we must, as legislators, as administrators; our problem as lawyers, bankers and business men, leave this room with one thought uppermost in our minds: this problem will not be solved by the Federal Government alone. It will not be solved unless all of us become involved in it.

The decision made by the insurance companies of this country to invest a billion dollars in the slums was more important than ten billion dollars of federal money, because management goes behind that decision. The home ownership program that many of us have introduced for low income families, designed to give them a feeling that they can own something and be somebody, is a powerful idea. This bill includes 60 million dollars of federal money, but it will attract, hold and invest with management 2 billion dollars of private funds. The Human Investment Act that Republicans have introduced in the House and the Senate would give

a tax incentive to any business that will invest in the hard core unemployed. The Job Corps costs \$10,000 a man; for \$500 to \$800 a man, industry—every business involved here—can become involved in this job of hiring the despondent, the ill-educated and those who want work and can work if they are given a chance. We certainly must do far more in the way of fair housing. It is men like Joe Cook who have made possible, I think, a great forward movement in this area.

The University of Chicago has proven in the Woodlawn area that we can develop an integrated, fine community with property values soaring upward. Companies can do the same, as has Sears, Roebuck in the Homan Street area.

But we need far more. We haven't even begun to make the sacrifices we must make if we aren't to sacrifice the society we must build. John Gardner has said, "History is not going to deal kindly with a rich nation that will not tax itself to cure its miseries."

We must support necessary federal expenditures by paying our taxes—if necessary higher taxes—to cut back on this terribly burdensome debt we are carrying. But men like you can do much more. I can't tell you the inadequacy we feel as legislators, trying to pass laws to solve these problems. In Washington they don't understand the community of Chicago like you do. What would happen if the management in this room went to work on any given problem? Could any company afford it? No. But a group of companies, working with the city, can and must solve these problems.

That is why you must leave here feeling that there is something you can do.

I really feel that the Wallace theory epitomizes the very attitudes that must be combated if we are not to see our country follow the road of social chaos. He is all the more dangerous because he has a finely honed sense of what to say where.

Before this group he spoke in measured terms of the "breakdown of law and order," as an "issue which confronts our people." Contrast this with his view expressed in another forum, in a slightly different way, when he said, and I quote:

"Bam, shoot 'em dead on the spot! Shoot to kill if anyone throws a rock at a policeman."

I believe the experiences of Newark and Detroit bear out the Commission report conclusion that weapons designed to destroy, not to control, have no place in densely populated urban communities.

To the extent that the American people respond to the glib rhetoric and demagoguery of George Wallace, the future of the kind of society we must create is put in doubt.

How will we respond to this report? Will we respond by following the easy path outlined for us by George Wallace? I don't think we will. I don't think there is a man in this room that would feel it is that simple. I think we are going to follow the hard, tough, anguishing route of facing up to this problem and solving it. And doing that is going to make us grateful for having had the great opportunity to live and work in these times of great need; to feel there is something we can do about these problems—because there is.

Thank you.

GUESTS AND MEMBERS SEATED AT THE SPEAKER'S TABLE, MARCH 8, 1968

Luther I. Replogle, *President*, Replogle Globes, Inc.

Marshall Haywood, Jr., *President*, Haywood Publishing Company.

Peter G. Peterson, *President & Chief Executive Officer*, Bell & Howell Company.

Alexander White, *Chairman*, Young Republican Organization of Cook County.

Brian B. Duff, *Lawyer* (Republican Candidate for Secretary of State).

Jesse Owens, *Partner*, Owens-West & Asso-

ciates (Winner of Four Gold Medals in the 1936 Olympics).

William Hodge, *President*, Hodge-Cronin & Associates, Inc.

Homer P. Hargrave, Jr., *General Partner*, Dean Witter & Company.

Everette A. Slisson, *President*, Workman Manufacturing Company.

Jack W. Gray, *Corporate Controller*, Allied Mills, Inc.

Frank M. Sims, *Vice President*, Harris Trust & Savings Bank.

Timothy P. Sheehan, *Chairman*, Republican Central Committee of Cook County.

Thomas J. Houser, *Special Counsel* to Senator Charles H. Percy.

Leonard Spacek, *Chairman of the Board*, Arthur Andersen & Company, (Member, Executive Committee of The Club).

Martin J. Koldyke, *Manager*, Corporate Finance Department, Paine, Webber, Jackson & Curtis (Secretary of The Club).

The Honorable Charles H. Percy, *United States Senator from Illinois* (Guest Speaker).

Charles J. Scanlon, *President*, Federal Reserve Bank of Chicago (President of The Executives' Club).

Richard B. Ogilvie, *President*, Board of Commissioners of Cook County.

Arthur C. Nielsen, Jr., *President*, A. C. Nielsen Company.

Robert A. Dwyer, *President*, Robert A. Dwyer Enterprises, Inc. (Republican Candidate for Lieutenant Governor).

William J. Scott, *Lawyer* (Former Treasurer of The State of Illinois).

G. Allan Julin, Jr., *Senior Vice President*, Chicago Title & Trust Company.

Blaine E. Rieke, *President*, Chicago Junior Association of Commerce & Industry.

John J. Markham, *Partner*, Hornblower & Weeks.

William B. Graham, *President*, Baxter Laboratories, Inc.

Richard L. Duchossols, *President*, Thrall Car Manufacturing Company.

Oliver S. Turner, *Chairman of the Board*, Turner, Bailey & Zoll, Inc.

William H. Fetridge, *President*, The Dartnell Corporation (President, United Republican Fund).

Morris Levinkind, *President*, Kahn-Levin-kind, Inc.

James J. McCarty, *President*, Dukes Company, Inc.

William McGinley, *President*, Methode Electronics, Inc.

Walter L. Sorg, *Sales Executive*, McCormick & Henderson.

ORDER OF AHEPA HONORS SENATOR DIRKSEN

Mr. HRUSKA, Mr. President, on the evening of March 18, together with a number of my colleagues, it was my privilege to attend the 18th biennial national banquet of the Order of AHEPA at which our able minority leader, Mr. DIRKSEN, was presented the 1968 AHEPA Socratic Award.

AHEPA, a nationwide fraternal, civic, educational and charitable organization has, in the 46 years of its existence, established a splendid record of service and it was in keeping with this tradition that the award was made to Senator DIRKSEN.

The presentation was made by Mr. Andrew Fasseas, supreme president of AHEPA. I ask unanimous consent, Mr. President, to have printed in the RECORD a portion of the transcript of that evening's proceedings which includes Mr. Fasseas' presentation and Senator DIRKSEN's response.

There being no objection, the proceedings were ordered to be printed in the RECORD, as follows:

Mr. FASSEAS. Mr. Toastmaster, Your Eminence, Your Excellency, Ambassador Palamas, Senator Dirksen, Governor Spiro Agnew, of Maryland, members of all capacities in the Order of AHEPA and AHEPA family, and friends of the AHEPA, and our guests of honor, the members of our Congress in this United States of America. [General applause.]

You know, we Laconians are supposed to speak briefly, and I'm going to live within that short speech tonight. I'm sure that most of you from throughout the country, you've seen me in your cities, in your chapters, in your affairs in the last two years, and I don't think I can add more to it. Tonight, however, I'm addressing myself to the representatives of our country in our Congress, and I will say to them, this banquet is one of the events which bring your constituents to the capital, meeting with you personally, discussing with you their local problems, yes, the national problems, and if you will, the international problems as well, for they look to you for the destinies not only of America but the destinies of the world.

And tonight, it is with great pride and pleasure that I have the privilege to bestow one of the greatest honors that the organization has to give. Only three such awards have been given. The last recipient was the present President of the United States, Lyndon Johnson. [General applause.]

And the recipient who receives it tonight is a man dedicated in his entire life not only for the problems of Illinois, not only for the problems of the Nation, but for the problems of the world, and I thank God that we have such a man in the Senate of the United States as Senator Everett Dirksen. [General applause.]

I am now unveiling the 1968 AHEPA Socratic Award to be given to this great man tonight.

Senator, this bronze bust of Socrates is symbolic of what you have stood for during your entire life. May you enjoy this and place it in a conspicuous place where everyone visiting your office will ask you, "What does this represent?" [General laughter.]

It is with my great pleasure to introduce to you the recipient of this great honor, the great man from Illinois, the second Lincoln of Illinois, Everett Dirksen, our beloved Senator from Illinois. [General applause.]

(Presentation by The Honorable Everett McKinley Dirksen, Senator from Illinois.)

Senator DIRKSEN. My friend, Andrew Fasseas before I say another thing I'm going to ask Governor Spiro Agnew whether he was born in Laconia. [General laughter.]

Spiro, can you imagine a United States Senator who came away with the traditions of Laconia? [General laughter.]

Why, it is hard to imagine. You couldn't fill enough pages in the Congressional Record to even mail it out. [General laughter.]

If that had been the case. But my friend, Andrew, and Your Eminence, Archbishop Iakovos, and perhaps I ought to pick out Mrs. Rummel first. Mrs. Rummel, where are you? The Grand President of the Daughters of Penelope. You see, I always [general applause] I always pick out the ladies first. [General laughter.]

And Miss Contos, Grand President of the Maids of Athena. Where is she? [General laughter.]

Oh, you better be here. [General laughter.] And Mr. Stavarakas. That's not the way to pronounce that. It's Stavarakas. [General laughter.]

I have trouble with my Hellene, as you notice. My old friend, Mike Manatos, Assistant to the President of the United States. [General applause.]

Glad to see you, Mike. And Your Excellency, the Attorney General, Ramsey Clark. [General applause.]

Who comes from the greatest unfrozen state, namely Texas. [General laughter.]

And Mr. Ambassador—Andrew, did I leave anybody out? [General laughter.]

Well, I did. I got to add koumbaros. [General laughter.]

Because I'm a koumbaros, so why don't you salute me? [General applause.]

Well, anyway, I asked the distinguished Archbishop whether Socrates came from Laconia. [General laughter.]

And he said he didn't. He came from Athens, the very seat of culture, where they talked long and loud when it became necessary, and in that respect they found a reflection centuries later in the United States Senate. [General laughter.]

First I'm grateful for your hospitality. You've been very kind; you always have been, except on one occasion, and that is when you had your national convention in Minneapolis. You didn't let me get on the program until 2:00 o'clock in the morning. [General laughter.]

But you see, I didn't arrive here until 3:00 o'clock this morning. So, Mr. Batsakis, that was the reason for this special request, and I hope you won't be offended if after what brief remarks I have that—a little water, Andrew. [General laughter.]

That Mrs. Dirksen and I take our leave because there's an awful early breakfast and a lot of work to be done tomorrow, and so you'll indulge us and forgive us. But I thank you for your hospitality. As I think of it I think of that North Dakota farmer when it was forty degrees below zero, who went out to milk his only milk cow, and when his hands reached out to come in contact with those lactile conduits [General laughter] that old cow turned around and said, "Boss, thanks for the warm hand." [General laughter.]

So, tonight my Hellenic friends, I thank you for the warm hand. [General laughter.]

This dinner is to honor the Congress and how delighted I am. First, we're so delighted to see you; but secondly, and that reminds me, Spiro, I forgot to include my Congressional colleagues tonight. I include them now. Besides we like to have you see us. You see, that's the intrinsic weakness in the political breed. It reminds me a little of the hired man who one night said to his boss farmer, "Boss, I'd like to borrow the lantern tonight." He said, "What for?" He said, "I want to go down the road and spark my girl." "Huh," he says, "Look young fella, when I was your age and sparked my wife I didn't take a lantern." He says, "I know you didn't and look what you got." [General laughter.]

So you see, we like to see you on these occasions. But we also like to have you see us.

First, I want to pay a tribute to this fellow sitting next to me, Andrew Fasseas. Andy, I don't know how long I've known you—

Mr. FASSEAS. Twenty-seven years.

Senator DIRKSEN. But every time he comes to my office he wears me out. [General laughter.]

Just to see him in action for five minutes wears me out, and Mike, I warn you, if he sees the President, you better tell the distinguished President what this fellow will do, because when he gets through with these gesticulations and this radiance of energy as if he were a ball of fire which he is, why everybody better take heed. Well, you've been my friend—

Mr. FASSEAS. And I'm proud of it.

Senator DIRKSEN. And I'm proud of your friendship, and what a public spirited citizen you've been. You really have, and tonight, as the Supreme President, I pay homage and tribute to you in the presence of your members. [General applause.]

But I'm doubly honored tonight with this Socratic award, one of the greatest minds that lived in the history of mankind. But what a singular thing about Socrates that

he left scarcely a written line. It was that whole group of his pupils who told us about him so that he lived in history. Is there a greater name? Is Plato a greater name, who was really one who inscribed so much of his teachings? Or Aristotle? No. We go back to Socrates and to the Socratic philosophy because he taught it in his own very humble way and others recorded it, and that's the reason it came to us. So in our literature, in the literature of every country, in our culture, in the schools, the name of Socrates is so well and so familiarly known.

And there's a reason for it. He embodied the very best in the Greek mind. First its clarity that somehow made manifest to his pupils the principles by which they had to live; and then his moral concern for his own society in his day and time. Always he went about saying, "Know thyself," because that's where wisdom begins. When people know themselves everything will be added unto it. And that was the greatness of it. But you see, he was brilliant in life and perhaps even more brilliant and greater in death.

Someone said about him and wrote about him that when all is said and done, there were only two consistent minds in the whole history of mankind. One was the Christ, whose life was the greatest life ever lived, but whether in life or in agony, whether before Pilate to be tried, or whether carrying that heavy cross down the Via Dolorosa, always and always he hewed so steadfastly to a constant and consistent Christian principle. And so it was with him, with Socrates and his philosophy. When the judges condemned him to death, did he fulminate about it? No, he didn't. His friends said, "Look, there are two escapes that you have. One is you can escape." But he says, "I don't want to escape. The law—the law—has pronounced a sentence on me." And other friends said, "You are free to go into exile." "But I don't want to go into exile. The law has pronounced its judgment." They said, "But you've been unjustly condemned." He says, "But that's not the law, and that's not the state; that is merely the imperfection of the judges who condemned me."

That was his consistency. That was his steadfastness to principle. And that was his devotion to the law. And when the cup of hemlock came, he did not retreat, he did not haul back. No, steadfastly he abided by the law and its judgments. It's an interesting concept today. In the last couple of years you've heard in various quarters the new concept: "I'll obey the law if I agree with it." Governor Agnew, you've heard it in your state, haven't you? Indeed you have. What happens to free society when it is given to every man to be his own judge of his own sins, his own violations of the concepts of society? Then what happens? Then, of course, there comes not merely instability, but finally there comes anarchy and all that goes with it.

So, in a time like this when this strange and almost fantastic concept is seeping into the minds of people so many centuries after Socrates and the Socratic philosophy, isn't it time we get back to him? Isn't it time we go back and unearth those truths? Isn't it time that we feast our hearts and our minds with those very simple bits of philosophy on which a stable civilization must be founded? Then and only then can we in a free society in this country be sure that there will be survival.

So, Andrew, you honor me tonight with this Socratic bestowal. I'm deeply grateful to you, and it shall have a place of honor, and whenever I look, always and always it will be a reminder of those amazing truths that must be discovered and rediscovered in the interest of a free society and a stable civilization.

And so to you and all your associates and to all koumbaros my sincere thanks. [General applause.]

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

TAX ADJUSTMENT ACT OF 1968

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. Calendar No. 995, H.R. 15414, an act to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

The Senate resumed consideration of the bill.

TEMPORARY WITHDRAWAL OF PENDING AMENDMENT NO. 672, AND CONSIDERATION OF AMENDMENT NO. 661

Mr. JAVITS. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. I wish to explain to the Senator in charge of the bill that it is so early in the morning I doubt very much that Senators are seriously prepared to address themselves to this most important amendment at this hour. I therefore temporarily withdraw amendment No. 672 which is the pending business, and call up my amendment 661 and ask that it be stated.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 30 seconds.

Mr. LONG of Louisiana. Mr. President, if the Senator is not ready with the pending amendment, I believe that the Senator from California [Mr. KUCHEL] has a matter on which the Senate could act immediately.

Mr. JAVITS. I have already arranged that with the Senator from California. Inasmuch as I have four amendments to offer, I am sure it does not matter to the Senator from Louisiana which one is acted upon first.

The PRESIDING OFFICER. The pending amendment is temporarily withdrawn. The clerk will state amendment No. 661.

The assistant legislative clerk read as follows:

At the end of the bill insert the following: "SEC. 8. SUBMISSION OF PROPOSALS FOR TAX REFORM.

"Not later than ninety days after the date of the enactment of this Act, the President shall submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code of 1954."

The PRESIDING OFFICER. The Chair inquires of the Senator from New York whether that is the amendment which was designated last night as the 2-hour amendment.

Mr. JAVITS. Mr. President, this is the 1-hour amendment.

The PRESIDING OFFICER. The Chair thanks the Senator from New York.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the reason why we are acting as we are with respect to a bill which, for all practical purposes, would be a routine tax bill, is that we feel the country and the world are in a very serious situation with respect to the inflationary surge in our country, with respect to the serious imbalance of international payments, and with respect to the very serious imbalance in our budget.

It is interesting to me that the margin in respect of these matters is relatively narrow. The imbalance in our international payments represents about \$3 billion between a good situation and a bad situation. The imbalance in our exports as contrasted with our imports has shown deterioration lately of about \$3 billion. Even our deficit, large as it is, over \$20 billion—variously estimated from \$20 billion to \$26 billion—when compared with the \$800 billion or \$850 billion economy in proportion is not going to shake the world. Nonetheless, the confluence of these events has brought us to the situation where, notwithstanding the mandate of the Constitution with respect to the authority of the other body to originate legislation of this character, the Senate wishes to manifest its will upon this subject.

I have no illusions about what we are doing here. We all know, because most of us have been around here a long time, that the conference which will ensue as we pass the bill today may very well confine itself to the excise taxes alone, perhaps because of the sheer exigency of time, but we also know that the Senate has clearly expressed its will to have an income tax increase and an expenditure reduction.

I have predicted a tax increase within 30 days. I do not know who is going to do what to whom, in terms of these two bodies, but I predict that within 30 days, if the Senate passes the Smathers-Williams substitute, there will be a tax increase, and there will be a requirement for an overall expense reduction.

Now, what has been discussed all the time so far is an expense reduction. What has not been discussed during all of this time is the very real problem of what to do about tax reform, which can also produce considerable money in the way of revenues.

We are talking about a surtax which will produce, in round figures, between \$10 billion and \$12 billion. We are talking about an expenditure reduction of \$6 billion. That is not enough, of course, to overcome our deficit. Our deficit is well in excess of \$20 billion. But it is enough to make measurable progress, to bring the deficit down to measurable proportions. But it seems, in all fairness to the people of our Nation, that we should not be content with merely giving them more taxation, and depriving them of some of the benefits of some of the legislation already on the books, but we should seek to tighten up our tax codes, to eliminate inequities, to deal with discrimination, and generally to make a

much better posture for the situation than now exists.

In that regard, I wish to point out that the President, in his economic message of January 1967, stated that he would send a message to the Congress on tax reform during that session of Congress. Over a year has now passed, and we still have no such legislation before us.

I had contemplated introducing a series of tax reform proposals as amendments to the pending legislation. However, in view of the complexities of any such tax reform package, and the need to expedite passage of the present excise tax bill, I decided instead, to ask the Senate to go on record to urge the President to send a tax reform bill to the Congress within 90 days.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself another 5 minutes.

I would like to point out that over 9 months ago, on June 20, 1967, Assistant Secretary of the Treasury Stanley Surrey stated:

It seems clear our tax laws, as they stand today, impose burdens on some of our citizens which are clearly unfair. In other cases, they grant special preferences to individuals and groups which are just as clearly inequitable.

Secretary Surrey also recommended specific reforms at that time.

We have not had a tax reform message since January 24, 1963.

I might point out that former Commissioner of Internal Revenue Caplin said, not so long ago, in discussing the need for improvement of the tax system:

The system, after all, requires voluntary assessment by each taxpayer of his own tax liability. Without fundamental public respect for the tax law, we cannot expect the broad-based tax compliance which is essential to the vitality of the system. Unfairness, discrimination, and abuse erode that respect; and in doing so, they present serious danger to the mechanism by which our federal government supports itself.

A number of proposals for tax reform have been introduced in the Congress. It seems apparent that until the administration sends up its own bill, no action will be taken. Even when a bill is introduced, it will undoubtedly take many months. Therefore, we should have a bill before us as early as possible if we are to get tax reform through even by this time next year.

The amendment, in my judgment, is very relevant to the measure which is before us. Again I quote Mr. Caplin this past January when he said:

The subject of tax reform has special urgency at the present time. The Administration proposes and continues to press for a 10 percent surcharge upon the existing income tax. The additional revenue to be raised by the surcharge is considerable—an estimated \$9.8 billion for fiscal 1969. When those who bear the burden of the present income tax are called upon for an additional contribution of that magnitude, it is hardly surprising that they give special attention to aspects of the tax law which enable others to pay less than their share. And, naturally enough, demands for reform have mounted.

This is a very simple approach to the problem. It simply asks the administra-

tion to give us its recommendations for tax reform within 90 days.

The manager of the bill felt that a longer period was required. I would not argue with him about that. It seems to me this is the kind of amendment which is very pertinent to this bill or any bill which imposes additional taxes, excise or income. We are proposing exactly that in the Smathers-Williams substitute.

Therefore, I hope this is one amendment that the managers of the bill will take, but I certainly feel that it is an amendment which deserves the affirmative action of the Senate, which I hope it will have.

As I said before, it is very hard to get our colleagues to be here much before 10 o'clock. Therefore, I ask unanimous consent that I may call for a quorum without the time being charged to either side.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, what is the request?

Mr. JAVITS. I am asking for a quorum call without the time being charged to either side.

Mr. LONG of Louisiana. Can we let it be charged equally?

Mr. KUCHEL. Mr. President, will the Senator yield to me?

Mr. JAVITS. Mr. President, I will withhold my request momentarily.

The PRESIDING OFFICER. The Senator from California.

Mr. JAVITS. I will, provided I am assured that I will have a quorum call, when the Senator from California is through, without the time being charged. It is necessary to me as I want a roll-call on my amendment.

Mr. LONG of Louisiana. Mr. President, I will assure the Senator that when we get down to the time of approaching a vote, with perhaps 5 minutes left on both sides, I will be willing to have a quorum call in order to have the yeas and nays ordered. I am sure the Senator realizes the frustration of trying to keep Senators present on the floor. Within 10 minutes of the time for a vote, I will help him get a rollcall.

Mr. JAVITS. Mr. President, I ask unanimous consent that the amendment I have offered be temporarily laid aside and that when consideration of the amendment to be offered by the distinguished Senator from California is completed, the Senate may again turn to the consideration of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 669

Mr. KUCHEL. Mr. President, I ask that the Chair lay before the Senate an amendment to the substitute offered by the distinguished minority leader [Mr. DIRKSEN], amendment No. 669.

The PRESIDING OFFICER. The clerk will state the amendment.

The assistant legislative clerk read the amendment (No. 669) as follows:

At the end of the bill insert the following: "SEC. —. ADVERTISING IN A POLITICAL CONVENTION PROGRAM.

"(a) Section 276 of the Internal Revenue Code of 1954 (relating to certain indirect contributions to political parties) is amended

by redesignating subsection (c) as (d), and by inserting after subsection (b) the following new subsection:

"(c) ADVERTISING IN A CONVENTION PROGRAM OF A NATIONAL POLITICAL CONVENTION.—Subsection (a) shall not apply to any amount paid or incurred for advertising in a convention program of a political party distributed in connection with a convention held for the purpose of nominating candidates for the office of President and Vice President of the United States, if the proceeds from such program are used solely to defray the costs of conducting such convention and the amount paid or incurred for such advertising is reasonable in light of the business the taxpayer may expect to receive directly as a result of such advertising or is reasonable in light of the business expected to be brought by such convention to the area in which the taxpayer has a principal place of business."

"(b) This section shall be effective with respect to amounts paid or incurred on or after January 1, 1968."

The PRESIDING OFFICER. How much time does the Senator from California yield himself?

Mr. KUCHEL. Two minutes.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KUCHEL. Mr. President, this amendment modifies section 276 of the Internal Revenue Code, to permit the deduction of certain amounts paid or incurred for advertising in a political convention program, where the convention is held to nominate candidates for President and Vice President of the United States.

Present law prohibits the deduction of all amounts paid for advertising in such a program, although they may constitute an ordinary and necessary business expense which otherwise would be deductible.

The amendment now pending is limited so as to maintain the prohibition against deduction of political contributions that are made in the guise of advertising expenditures in convention programs. To accomplish this, the amendment is applicable only if the amounts paid are reasonable in the light of the business the taxpayer may expect to receive as a result of the advertisement, or are reasonable in the light of the business expected to be brought by the convention to the area in which the taxpayer has a principal place of business.

In addition, the amendment applies only if the proceeds of the program are used solely to defray the costs of conducting the convention.

Mr. President, as I stated earlier, I introduce this amendment on behalf of the distinguished minority leader [Mr. DIRKSEN]. I might say that this proposal seeks to resolve an inequity in our tax laws. Prior to this moment, I have discussed it with my able friend, the distinguished senior Senator from Delaware, who is about to speak and indicate his approval. I am hopeful that the amendment will be adopted.

ORDER OF BUSINESS

Mr. MORSE. Mr. President, will the Senator yield for a moment, for a privileged matter?

Mr. KUCHEL. I yield.

Mr. MORSE. Mr. President, I ask

unanimous consent that I may present to the Senate the conference report on H.R. 13042, and that the very brief time it will take not to be counted against either side on the pending amendment.

Mr. KUCHEL. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

DISTRICT OF COLUMBIA ELECTED BOARD OF EDUCATION ACT—CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13042) to amend the act of June 20, 1906, and the District of Columbia election law to provide for the election of members of the Board of Education of the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'District of Columbia Elected Board of Education Act.'

"FINDINGS AND DECLARATION OF PURPOSE

"SEC. 2. The Congress hereby finds and declares that the school is a focal point of neighborhood and community activity; that the merit of its schools and educational system is a primary index to the merit of the community; and that the education of their children is a municipal matter of primary and personal concern to the citizens of a community. It is therefore the purpose of this Act to give the citizens of the Nation's Capital a direct voice in the development and conduct of the public educational system of the District of Columbia; to provide organizational arrangements whereby educational programs may be improved and coordinated with other municipal programs, and to make District schools centers of neighborhood and community life.

"AMENDMENTS TO DISTRICT OF COLUMBIA BOARD OF EDUCATION LAW

"SEC. 3. (a) Section 2 of the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia', approved June 20, 1906 (D.C. Code, sec. 31-101), is amended by striking out the first paragraph of subsection (a) and inserting in lieu thereof the following:

"SEC. 2. (a) The control of the public schools of the District of Columbia is vested in a Board of Education to consist of eleven elected members, three of whom are to be elected at large, and one to be elected from

each of the eight school election wards established under the District of Columbia Election Act. The election of the members of the Board of Education shall be conducted on a nonpartisan basis and in accordance with such Act.

"(b) (1) Except as provided in paragraph (2) of this subsection and section 10(e) of the District of Columbia Election Act, the term of office of a member of the Board of Education shall be four years.

"(2) Of the members of the Board of Education first elected after the date of the enactment of this paragraph, three members elected from wards and two members elected at large shall serve for terms ending January 26, 1970, and the other six members shall serve for terms ending January 24, 1972. The members who shall serve for terms ending January 26, 1970, shall be determined by lots cast before the Board of Elections of the District of Columbia upon a date set and pursuant to regulation issued by the Board of Elections.

"(3) The term of office of a member of the Board of Education elected at a general election shall begin at noon on the fourth Monday in January next following such election. A member may serve more than one term.

"(4) The members may receive compensation at a rate fixed by the District of Columbia Council, which shall not exceed \$1,200 per annum.

"(c) (1) Each member of the Board of Education elected from a ward shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the school election ward from which he seeks election, (B) have, for the one-year period immediately preceding his nomination, resided in the school election ward from which he is nominated, (C) have, during the three years next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (D) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

"(2) Each member of the Board of Education elected at large shall at the time of his nomination (A) be a qualified elector (as that term is defined in section 2 of the District of Columbia Election Act) in the District of Columbia, (B) have, during the three-year period next preceding his nomination, been an actual resident of the District of Columbia and have during such period claimed residence nowhere else, and (C) hold no elective office other than delegate or alternate delegate to a convention of a political party nominating candidates for President and Vice President of the United States. A member shall forfeit his office upon failure to maintain the qualifications required by this paragraph.

"(3) No individual may hold the office of member of the Board of Education and also be an officer or employee of the District of Columbia government or of the Board of Education. A member will forfeit his office upon failure to maintain the qualification required by this paragraph.

"(d) Whenever, before the end of his term, a member of the Board of Education dies, resigns, or becomes unable to serve or a member-elect of the Board of Education fails to take office, such vacancy shall be filled as provided in section 10(e) of the District of Columbia Election Act.

"(e) The Board of Education shall select a President from among its members at the first meeting of the Board of Education held on or after the date (prescribed in paragraph (3) of subsection (b) of this section)

on which members are to take office after each general election. The Board of Education may appoint a secretary, who shall not be a member of the Board of Education. The Board of Education shall hold stated meetings at least once a month during the school year and such additional meetings as it may from time to time provide for. Meetings of the Board of Education shall be open to the public; except that the Board of Education (1) may close to the public any meeting (or part thereof) dealing with the appointment, promotion, transfer, or termination of employment of, or any other related matter involving, any employee of the Board of Education, and (2) may close to the public any meeting (or part thereof) dealing with any other matter but no final policy decision on such other matter may be made by the Board of Education in a meeting (or part thereof) closed to the public."

"(b) The second, third, fourth, and fifth paragraphs of such section 2(a) are redesignated as subsections (f), (g), (h), and (i), respectively."

"(c) Subsection (b) of such section 2 is repealed."

"(d) (1) The provisions of the Act of June 20, 1906, listed in paragraph (2) of this subsection, are amended by striking out the terms 'board of education' and 'board' each place they appear in such provisions and inserting in lieu thereof 'Board of Education' and 'Board', respectively."

"(2) The provisions of the Act of June 20, 1906, amended by paragraph (1) of this subsection are as follows:

"(A) Subsections (f), (g), (h), and (i) of section 2 of such Act (as so redesignated by subsection (b) of this section) (D.C. Code, secs. 31-102, 31-103, 31-104, 31-101)."

"(B) Section 3 of such Act (D.C. Code, secs. 31-105, 31-108, 31-110, 31-111)."

"(C) The first paragraph of section 5 of such Act (D.C. Code, sec. 31-112)."

"(D) Section 12 of such Act (D.C. Code, sec. 31-117)."

"AMENDMENTS TO DISTRICT OF COLUMBIA ELECTION LAW"

"SEC. 4. The Act entitled 'An Act to regulate the election in the District of Columbia of electors of President and Vice President of the United States and of delegates representing the District of Columbia to national political conventions, and for other purposes', approved August 12, 1955 (D.C. Code, sec. 1-1101 et seq.), is amended as follows:

"(1) The first section of such Act (D.C. Code, sec. 1-1101) is amended by inserting immediately after 'Vice President of the United States' the following: ', the members of the Board of Education.'"

"(2) Section 2 of such Act (D.C. Code, sec. 1-1102) is amended by adding at the end thereof the following new paragraphs:

"(4) The term 'ward' means a school election ward established by the Board under section 5(a) (4) of this Act."

"(5) The term 'Board of Education' means the Board of Education of the District."

"(3) Paragraph (4) of section 5(a) of such Act (D.C. Code, sec. 1-1105(a) (4)) is amended by inserting immediately before the semicolon the following: ', divide the District into eight compact and contiguous school election wards which shall include such numbers of precincts as will provide approximately equal population within each ward; and reapportion the wards accordingly after each decennial census.'"

"(4) Section 7 of such Act (D.C. Code, sec. 1-1107) is amended—

"(A) by striking out in subsection (a) 'he registers in the District during the year in which such election is to be held,' and inserting in lieu thereof 'he is duly registered in the District on the date of such election. A person shall be considered duly registered in the District if he registers under this Act

after January 1, 1968, and if after the date he registers no four-year period elapses during which he fails to vote in an election held under this Act.'"

"(B) by amending subsection (d) to read as follows:

"(d) (1) The registry shall be open during reasonable hours, except that the registry shall not be open (A) during the thirty-day period ending on the first Tuesday following the first Monday in November of each odd-numbered calendar year and of each presidential election year, (B) during the thirty-day period ending on the first Tuesday in May in each presidential election year, and (C) during such other period as the Board may provide in the case of a special election."

"(2) The Board may close the registry on Saturdays, Sundays, and holidays. While the registry is open, any person may apply for registration or change his registration; and

"(C) by striking out in subsection (e), 'Municipal Court for the District of Columbia' and inserting in lieu thereof 'District of Columbia Court of General Sessions'."

"(5) Section 8 of such Act (D.C. Code, sec. 1-1108) is amended—

"(A) by striking out in subsection (a) (1) 'thirty days' and inserting in lieu thereof 'forty-five days'; and

"(B) by adding the following new subsections at the end thereof:

"(h) (1) Except in the case of the three members of the Board of Education elected at large, the members of the Board of Education shall be elected by the qualified electors of the respective wards of the District from which the members have been nominated."

"(2) In the case of the three members of the Board of Education elected at large, each such member shall be elected by the qualified electors of the District."

"(i) Each candidate in a general election for member of the Board of Education shall be nominated for such office by a petition

(A) filed with the Board not later than forty-five days before the date of such general election; (B) signed by at least two hundred and fifty persons who are duly registered under section 7 in the ward from which the candidate seeks election, or in the case of a candidate running at large, signed by at least one hundred and twenty-five persons in each ward of the District who are duly registered in such ward; and

(C) accompanied by a filing fee of \$100. Such fee may be refunded only in the event that the candidate withdraws his nomination by writing received by the Board not later than three days after the date on which nominations are closed. A nominating petition for a candidate in a general election for member of the Board of Education may not be circulated for signatures before the ninety-ninth day preceding the date of such election and may not be filed with the Board before the seventieth day preceding such date. The Board may prescribe rules with respect to the preparation and presentation of nominating petitions and the posting and disposition of filing fees. In a general election for members of the Board of Education, the Board shall arrange the ballots in each ward to enable a voter registered in that ward to vote for any one candidate duly nominated to be elected to such office from such ward, and to vote for as many candidates duly nominated for election at large to such office as there are Board of Education members to be elected at large in such election."

"(j) (1) The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatories thereto if the original or facsimile thereof has been posted in a suitable public place for the ten-day period beginning on the forty-second

day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition."

"(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable."

"(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board."

"(6) Section 9 of such Act (D.C. Code, sec. 1-1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'."

"(7) Section 10 of such Act (D.C. Code, sec. 1-1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

"(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year."

"(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected."

"(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected."

"(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the

day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition."

"(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable."

"(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board."

"(6) Section 9 of such Act (D.C. Code, sec. 1-1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'."

"(7) Section 10 of such Act (D.C. Code, sec. 1-1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

"(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year."

"(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected."

"(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected."

"(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the

day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition."

"(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable."

"(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board."

"(6) Section 9 of such Act (D.C. Code, sec. 1-1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'."

"(7) Section 10 of such Act (D.C. Code, sec. 1-1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

"(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year."

"(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected."

"(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected."

"(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the

day before the date of the election for such office. Any qualified elector may within such ten-day period challenge the validity of any petition by a written statement duly signed by the challenger and filed with the Board and specifying concisely the alleged defects in such petition. Copy of such challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition."

"(2) The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than eight days after the challenge has been filed. Within three days after announcement of the determination of the Board with respect to the validity of the nominating petition, either the challenger or any person named in the challenged petition as a nominee may apply to the District of Columbia Court of Appeals for a review of the reasonableness of such determination. The court shall expedite consideration of the matter and the decision of such court shall be final and not appealable."

"(k) In any election, the order in which the names of the candidates for office appear on the ballot shall be determined by lot, upon a date or dates and under regulations prescribed by the Board."

"(6) Section 9 of such Act (D.C. Code, sec. 1-1109) is amended—

"(A) by striking out 'for electors of President and Vice President' in the second sentence of subsection (b); and

"(B) by striking out 'Municipal Court for the District of Columbia' in subsection (e) and inserting 'District of Columbia Court of General Sessions'."

"(7) Section 10 of such Act (D.C. Code, sec. 1-1110) is amended—

"(A) by striking out the second and third sentences of paragraph (1) of subsection (a) and the second sentence of paragraph (2) of such subsection;

"(B) by adding at the end of subsection (a) the following new paragraphs:

"(3) The first general election for members of the Board of Education shall be held on November 5, 1968, and thereafter on the Tuesday next after the first Monday in November of each odd-numbered calendar year."

"(4) (A) If in a general election for members of the Board of Education no candidate for the office of member from a ward, or no candidate for the office of member elected at large (where only one at-large position is being filled at such election), receives a majority of the votes validly cast for such office, a runoff election shall be held on the twenty-first day next following such election. The candidate receiving the highest number of votes in such runoff election shall be declared elected."

"(B) When more than one office of member elected at large is being filled at such a general election, the candidates for such offices who receive the highest number of votes shall be declared elected, except that no candidate shall be declared elected who does not receive a majority of the number of all votes cast for candidates for election at large in such election divided by the number of at-large offices to be filled in such election. Where one or more of the at-large positions remains unfilled, a runoff election shall be held as provided in subparagraph (A) of this paragraph, and the candidate or candidates receiving the highest number of votes in such runoff election shall be declared elected."

"(C) Where a vacancy in an unexpired term for an at-large position is being filled at the same general election as one or more full term at-large positions, the successful candidate or candidates with the highest number of votes in the general election, or in the runoff election if a runoff election is necessary, shall be declared elected to the

full term position or positions, provided that any candidate declared elected at the general election shall for this purpose be deemed to have received a higher number of votes than any candidate elected in the runoff election.

"(D) The Board may resolve any tie vote occurring in an election governed by this paragraph by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

"(5) In the case of a runoff election for the office of member of the Board of Education elected at large, the candidates in such runoff election shall be those unsuccessful candidates, in number not more than one more than the number of such offices to be filled, who in the general election next preceding such runoff election received the highest number of votes less than a majority. In the case of a runoff election for the office of member of the Board of Education from a ward, the runoff election shall be held in such ward, and the two candidates who in the general election next preceding such runoff election received respectively the highest number and the second highest number of votes validly cast in such ward or who tied in receiving the highest number of such votes shall run in such runoff election. If in any case (other than the one described in the preceding sentence) a tie vote must be resolved to determine the candidates to run in any runoff election, the Board may resolve such tie vote by requiring the candidates receiving the tie vote to cast lots at such time and in such manner as the Board may prescribe.

"(6) If any candidate withdraws (in accordance with such rules and time limits as the Board shall prescribe) from a runoff election held to select a member of the Board of Education or dies before the date of such election, the candidate who received the same number of votes in the general election next preceding such runoff election as a candidate in such runoff election or who received a number of votes in such general election which is next highest to the number of votes in such general election received by a candidate in the runoff election and who is not a candidate in such runoff election shall be a candidate in such runoff election. The resolution of any tie necessary to determine the candidate to fill the vacancy caused by such withdrawal or death shall be resolved by the Board in the same manner as ties are resolved under paragraph (5)."

"(C) by amending subsection (b) to read as follows:

"(b) All elections prescribed by this Act shall be conducted by the Board in conformity with the provisions of this Act. In all elections held pursuant to this Act the polls shall be open from 8 o'clock antemeridian to 8 o'clock postmeridian. Candidates receiving the highest number of votes in elections held pursuant to this Act, other than general elections for members of the Board of Education, shall be declared the winners."

"(D) by inserting after 'In the case of a tie' in subsection (c) the following: 'vote in any election other than an election for members of the Board of Education';

"(E) by inserting after 'official' in subsection (d) the following: ', other than a member of the Board of Education'; and

"(F) by adding at the end thereof the following new subsection:

"(e) Whenever a vacancy occurs in the office of member of the Board of Education, such vacancy shall be filled at the next general election for members of the Board of Education which occurs more than ninety-nine days after such vacancy occurs. However, the Board of Education shall appoint a person to fill such vacancy until the unexpired term of the vacant office ends or until the fourth Monday in January next fol-

lowing the date of the election of a person to serve the remainder of such unexpired term, whichever occurs first. A person elected to fill a vacancy shall hold office for the duration of the unexpired term of office to which he was elected. Any person appointed under this subsection shall have the same qualifications for holding such office as were required of his immediate predecessor."

"(8) The first sentence of section 11(b) of such Act (D.C. Code, sec. 1-1111(b)) is amended by striking out 'the United States District Court for the District of Columbia' and inserting in lieu thereof 'the District of Columbia Court of Appeals'.

"(9) The following new sections shall be added at the end of such Act:

"Sec. 15. No person shall be a candidate for more than one office on the Board of Education in any election for members of the Board of Education. If a person is nominated for more than one such office, he shall, within three days after the Board has sent him notice that he has been so nominated, designate in writing the office for which he wishes to run, in which case he will be deemed to have withdrawn all other nominations. In the event that such person fails within such three-day period to file such a designation with the Board, all such nominations of such person shall be deemed withdrawn.

"Sec. 16. This Act may be cited as the 'District of Columbia Election Act'."

"COORDINATION WITH THE DISTRICT OF COLUMBIA GOVERNMENT"

"Sec. 5. (a) The Board of Education and the Commissioner of the District of Columbia shall jointly develop procedures to assure the maximum coordination of educational and other municipal programs and services in achieving the most effective educational system and utilization of educational facilities and services to serve broad community needs. Such procedures shall cover such matters as—

"(1) design and construction of educational facilities to accommodate civic and community activities such as recreation, adult and vocational education and training, and other community purposes;

"(2) full utilization of educational facilities during nonschool hours for community purposes;

"(3) utilization of municipal services such as police, sanitation, recreational, maintenance services to enhance the effectiveness and stature of the school in the community;

"(4) arrangements for cost-sharing and reimbursements on school and community programs involving utilization of educational facilities and services; and

"(5) other matters of mutual interest and concern.

"(b) The Board of Education may invite the Commissioner of the District of Columbia or his designee to attend and participate in meetings of the Board on matters pertaining to coordination of educational and other municipal programs and services and on such other matters as may be of mutual interest.

"EFFECTIVE DATE AND TERMINATION OF OFFICE"

"Sec. 6. (a) The amendments made by this Act shall take effect on May 15, 1968, except that—

"(1) the Board of Education of the District of Columbia, appointed under the Act of June 20, 1906 (as in effect on the date of the enactment of this Act), shall continue to exercise the powers, functions, duties vested in it under such Act (as in effect on such date);

"(2) vacancies in such Board shall be filled by appointment in accordance with such Act (as in effect on such date); and

"(3) the members of such Board appointed under such Act (as in effect on such date) shall continue in office; until such time as at least six of the members first elected to the Board of Education

(under such Act as amended by this Act) take office."

And the Senate agree to the same.

WAYNE MORSE,
ROBERT KENNEDY,
WINSTON PROUTY,
Managers on the Part of the Senate.
JOHN L. McMILLAN,
JOHN DOWDY,
DONALD M. FRASER,
BERNIE SISK,
ANCHER NELSEN,
JOEL T. BROYHILL,
JOHN M. ZWACH,
SAM STEIGER,

Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MORSE. Mr. President, I shall make a very brief statement in connection with the conference report.

H.R. 13042, as agreed to by the House and Senate conferees, provides for the first School Board election to be held on November 5, 1968, with each succeeding School Board election to be held in November in odd-numbered years.

The elected School Board would consist of 11 members, eight elected from individual wards and three elected at-large for terms of 4 years on a nonpartisan basis.

The bill also establishes the qualifications to hold office, and compensation and procedures for submitting nominating petitions.

The conference report comes to the Senate with the unanimous recommendation of both the House and Senate conferees.

The favorable action about to be taken by the Senate on the District of Columbia elected School Board conference report and the favorable action anticipated on the report shortly in the House of Representatives ranks as a very significant historical event in the history of the Nation's Capital. Never before in the history of the District of Columbia have the citizens who resided here had an opportunity to elect their own School Board members.

During the first three-quarters of the 19th century, the Department of Interior managed the local colored schools, while the District of Columbia Government managed the white schools. This changed in 1873 when the colored schools were transferred to the District of Columbia under a board of nine trustees appointed by the Governor. In 1906, Congress vested control of the public schools in a Board of Education appointed by the supreme court judges of the District of Columbia. Presently, School Board members are appointed by the U.S. district court. It is obvious that until the elected School Board bill becomes law we really have made little progress since 1804 in putting democracy to work in the Nation's Capital by allowing its citizens the right to elect their own School Board.

In my judgment, congressional approval of the elected School Board bill is a giant stride forward toward the ultimate goal of true home rule for the Nation's Capital.

The recent reorganization of the District of Columbia government and final

approval of the elected School Board bill ushers in an era of greater democracy for the Nation's Capital.

Much credit for these accomplishments must go to my distinguished friend from Nevada [Mr. BIBLE], the chairman of the District Committee, for the leadership he has shown, and to my distinguished colleagues, Senators PROUTY and DOMINICK for the great contributions they have made on behalf of home rule and elected School Board proposals over the years. My friend from Colorado, since coming to the Senate, has been in the forefront of efforts to secure an elected School Board for the Nation's Capital. I also wish to pay tribute to my colleague from New York [Mr. KENNEDY] for the contribution he made to this legislation and the wonderful cooperation he gave me at all times. Each member of the District Committee has made significant contributions toward passage of both bills.

I also want to compliment the members of the House District of Columbia Committee for their strong support of the elected School Board.

I would be remiss if I did not state my deep appreciation to President Johnson for the strong support he has given us in trying to bring about this long overdue and necessary reform.

Mr. PROUTY. Mr. President, the pending conference report is of singular importance to the District of Columbia. The citizens of the District have been isolated too long from their educational system. The future of their children is the paramount concern of all parents, but parents in the District have been deprived of a voice in the keystone of their children's lives—their education. Particularly in the ghettos of the District, where the lack of an education has been the bar to a better life, there is great respect for education and parents are vitally interested in the schools and the quality of education provided for their children.

Throughout the Nation, Mr. President, in every community, the school system is an integral part of the community it serves and direct election of members of the School Board is the common practice. In the State of Vermont they have been elected since 1870. In the District of Columbia, due to an archaic selection system, the citizens do not have this fundamental right to select those who determine educational policies and the quality of education provided for their children. Parents in the District are denied any direct involvement in the effective operation of their children's schools. With the passage of the pending legislation, Mr. President, which provides for elected School Board, the residents of the District will share with millions of other Americans citizens a voice in the administration of their educational system. They will have the opportunity to select a School Board responsible to them.

My statement, Mr. President, is not meant in criticism of those who presently serve or have served in the past on the Board of Education. The District has been fortunate to have such dedicated and selfless individuals serve on its School Board and they have served the community faithfully and well, laboring

under difficult circumstances imposed upon them by an outmoded selection system. The judges of the Federal district court, who have been charged with the responsibility of appointing the members of the School Board, have urged that they be relieved of this duty alien to their judicial responsibilities, and I agree that they should be.

An independent elected School Board for the District of Columbia, Mr. President, is not a new concept. For several years my colleague on the Senate District of Columbia Committee, the distinguished Senator from Colorado, and I have been advocates of an elected School Board. In the past he has introduced legislation to bring this voice to the residents of the District—without success. In committee I have given him my full support when he unsuccessfully attempted to have such a measure added as an amendment to other legislation. I was gratified when belated support for an elected School Board was forthcoming in this 90th Congress.

One of the things which gives me great satisfaction in this legislation, Mr. President, is the fact that it is a bipartisan measure. The distinguished Senator from Oregon, who is chairman of the Public Health, Education, Welfare, and Safety Subcommittee of the Senate Committee on the District of Columbia, has long been recognized as a leader in the field of education in this country. I have had the honor and privilege of serving with him not only on the Senate District of Columbia Committee but on the Subcommittee on Education of the Labor and Public Welfare Committee. He has been the champion of countless causes resulting in the enlargement and improvement of education in this country and the legislation we are considering today is another of his meaningful contributions.

The acceptance of the conference report on this elected School Board legislation, Mr. President, and its enactment into law, will not be the panacea for all the ills in the District's educational system but it will do much to resolve some of the serious differences which have developed in this community. It is legislation which has broad based support from every quarter of the community, and I am glad to see such strong support for a measure which I have long considered to be of great importance to the District. Through increased community participation the educational system of the District can become a part of the community life. All of us must now assume our responsibility to bring to the citizens of the District this much needed and long overdue reform in its educational system.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. MORSE. I thank the Senator from California and the Senator from Delaware.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to

apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. WILLIAMS of Delaware. Mr. President, we have worked this amendment out after discussing it with the representatives of the department, and we are willing to take it. In fact, we think it is necessary.

This problem first arose a few years ago as a result of the excessive amount of advertising that was appearing in the brochures of the national conventions—advertising to the extent that, in effect, contractors were making their \$10,000 or \$25,000 contributions under the guise that the money was for advertising.

By an amendment which I offered, that practice was tightened up, and such contributions were completely eliminated.

However, it was pointed out by the administration that in tightening the loophole, we had proceeded to the extent that hotels, for example, in the area where the convention was being solicited, could not make the normal donations which are customarily raised when cities bid for these conventions. It has always been customary, for instance, as, for example, for the Cherry Blossom Festival, to raise a fund, through the chamber of commerce, to underwrite the convention coming to the city, on the basis that the hotels and business people in the community will profit therefrom.

This amendment would allow such advertising only in two cases. First, it would be allowed to the extent that people in the area would have a reasonable expectation of making an additional profit in their business as a result of getting the convention in the area. For example, when one of the conventions is to be held in the Miami area, the hotels in that area could deduct the cost of advertising in the brochures for that convention to the extent its business could reasonably be expected to increase as a result of the convention. The Miami hotels could not get a deduction, of course, for a Chicago convention. When the convention goes to Chicago, the business interests in Chicago that would have a reasonable expectation of making a profit as a result of that convention would be allowed the same deduction they would be allowed if it were a convention of the American Legion or any other organization. Beyond that, this part of the amendment does not go.

The second type of advertising allowed by the amendment would be for a business, such as the Coca Cola Co., if it wanted to advertise. They could only be allowed a deduction to the extent that they would normally expect to take advertising in any nonpolitical brochure having a distribution among a similar size group. It could not be in the nature of a contribution, political or otherwise.

Another safeguard is that in all instances if, perchance, they had a surplus after the convention, none of the proceeds could be used to defray the expenses of a political campaign. They would have to be earmarked and set aside and carried over for the next convention, 4 years later. Under no circumstances could those funds be used for political purposes. The whole cost would be re-

jected if any of the proceeds were sought to be used to defray such campaign costs.

As I said before, it is very clear that defense contractors and various other contractors who heretofore were solicited for advertising would not be allowed to deduct that cost because there would be no reasonable expectation that business would result. Such advertising could only be interpreted as improper influence, and that is not considered to be a proper deduction.

This amendment does spell out a clear interpretation for the representatives of the Treasury Department. We were told that they need these safeguards. While they felt that they could interpret them by regulation, it would be better to do it in this manner.

I wanted to make this intent clear. I am sure that the sponsors of the amendment will agree. We do not think it can result in an abuse.

Mr. KUCHEL. Mr. President, the Senator is correct. I think it is an excellent amendment and does serve a useful purpose.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment (No. 669) was agreed to.

Mr. KUCHEL. Mr. President, I move that the same amendment, No. 669, be added to the bill itself.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to.

Mr. KUCHEL. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I thank my able friend, the Senator from Louisiana [Mr. LONG], and the Senator from Delaware [Mr. WILLIAMS].

Mr. LONG of Louisiana. Mr. President, is an amendment now pending?

The PRESIDING OFFICER. The Javits amendment is the pending business.

Mr. LONG of Louisiana. Mr. President, on my own time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT REQUEST

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Sergeant at Arms be directed to keep the Senate floor and lobby clear of all Senate staff personnel except those on the staff of the Sergeant at Arms, the Secretary of the Senate, the secretary for the majority, the secretary for the minority, the Finance Committee, the two policy committees, and the staff of any Senator who makes a special request.

Mr. CLARK. Mr. President, reserving

the right to object, and I do not object, I would like to have it perfectly clear that my assistants, Mr. Kirst and Mr. Schwartz, may be on the floor at all times during the consideration of the pending bill.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, and I believe I will be constrained to object, I do not think the request will be necessary today. I do not think we will have that much confusion. I would prefer to wait until we see if such a request becomes really necessary.

I hope that the Senator will not insist on the request. If he does, I will have to object.

Mr. BYRD of West Virginia. Mr. President, I will not insist on it if the majority whip intends to object.

I want to make the point that during the conference held earlier this year, the members of the Democratic conference agreed to make every effort to keep the floor clear of attachés who had no business on the Senate floor.

Yesterday I counted almost 50 Senate aides on the floor. And that situation held true throughout most of the day. I do not believe that 50 Senators need 50 aides present on the floor. It was for that reason that I propounded the request. I asked unanimous consent that the staff of the Finance Committee be permitted to have the use of the floor today.

Any Senator could ask unanimous consent to have any aide he wishes on the floor in spite of this request.

Mr. LONG of Louisiana. I am managing the bill. It is a Finance Committee bill, and we do have a large staff. In addition, in my own case, members of my staff must communicate from time to time.

I do not want to ask a favor for myself that I would not want to ask for others. I would prefer not to use this procedure at this time, and I hope that the Senator will work with me on the matter. I believe that it will work out all right.

Mr. CLARK. Mr. President, I think it will work out all right, too, despite what the Democratic conference did.

I think it is confusing to have individual Senators get up and ask unanimous consent that staff members be granted the privilege of the floor to assist the Senator when, to me, they are clearly entitled to be here.

I yield to my friend, the Senator from West Virginia, who has been an efficient secretary of the conference and has done marvelous work. However, I think we are going too far when we attempt to impose this restriction in the widest sort of way.

I join my friend, the Senator from Louisiana, in asking that the Senator from West Virginia play it by ear for the time being.

Mr. BYRD of West Virginia. Mr. President, I will not press the request. However, if we play it by ear, it will get out of hand as it did on yesterday, and then it is difficult to restore control of the situation. Whereas if consent to clear the floor is gotten early in the day as I have attempted to do, the matter will not get out of hand.

A number of Senators yesterday objected to all the aides running up and

down the aisle and sitting in the seats of various Senators. Senators could not hear what was said. I think it is holding the Senate up to ridicule.

So far as I am concerned, I am willing to ask unanimous consent at any time I need an aide on the floor. But, as a usual procedure, I let my aides come to the lobby, and I meet them out there, and I then send them back to the office.

If aides wish to listen, they can sit in the gallery and hear everything that is said. If we are not going to have order in the Senate, then I will not press my request. If Senators desire order, this is the only way to get it and maintain it.

Mr. LONG of Louisiana. Mr. President, at such time as it becomes a problem, I will join the Senator in the request.

Mr. BYRD of West Virginia. At such time as it becomes a problem, the Senator from Louisiana can make the request himself.

Mr. LONG of Louisiana. I thank the Senator.

Mr. BYRD of West Virginia. I thank the Senator.

The PRESIDING OFFICER (Mr. BURDICK in the chair). Objection is heard.

The Senator from New York is recognized.

Mr. JAVITS. Mr. President, I yield myself 3 minutes.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, if the Senator would be willing to modify his date to make the date, let us say, December 31—I have mentioned this to the Senator—I would be willing to agree to the amendment. Otherwise, I would feel constrained to oppose it.

I know the study is going on in the Treasury Department, and I believe I understand their point of view on the matter. I do not see any reason for bringing these reforms before us long before we could possibly consider them. Because of this, I do not believe it would be fair to ask the Treasury Department to bring the study here before the end of the year.

I believe that the amendment would be rejected if the Senator insisted on a date earlier than that. If he would accept the December 31 date, and would so modify the amendment, I would be willing to support it.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield, I should like to join the Senator from Louisiana in expressing the hope that the Senator from New York would modify the date. I believe it would work out then. It would then be a most constructive amendment.

Mr. JAVITS. Mr. President, I believe the Senate would agree to the amendment. I differ with the Senator in that regard. But I am delighted that both the manager of the bill and the ranking minority member of the committee would accept this amendment.

Mr. President, I just wish to say to them that I hope that we realize the meaningfulness of this matter to people generally. We have had an enormous amount of mail—I am sure the Senators have.

I shall take the Senator's suggestion, but I just wish to comment to both Sen-

ators—who are so important in the conference, in the future work of the Finance Committee—how important many people in the country consider such an amendment; because there is much feeling that at one and the same time that they are going to pay a bigger tax bill, at least we should try to do away with many discriminations and inequities in the tax code. You never get rid of all of them, and you probably never will get rid of a majority of them.

Some effort in that regard is clearly indicated, in common decency to the millions of Americans who feel much put upon when their own tax bill is going to rise materially.

I am grateful to both Senators. I am realistic about the legislative process, and I would hope very much that they would consider this as an expression of what the people really want. Whether it finds its way in this particular measure, at this time, or in some other measure, this is something which is desirable on the part of millions of Americans.

Mr. WILLIAMS of Delaware. I can give the Senator from New York my assurance that in accepting this amendment, it is not just an idle gesture of taking it to conference. I believe the changed date would be a realistic date.

I agree with the Senator that it is most essential that we get such a report, and perhaps the Treasury Department needs this extra incentive to make sure that it is here on time.

In accepting this amendment, I would certainly express the hope that it can be kept in conference, and I think it can, because it should be.

Mr. JAVITS. I thank the Senator.

I yield to the Senator from Pennsylvania.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield 5 minutes.

Mr. CLARK. Mr. President, I commend the Senator from New York for proposing this study for a tax reform measure. I believe it is disgraceful that in all the years I have been in the Senate—now over 11 years—we have never had from the Treasury Department, under either a Republican administration or a Democratic administration, a good, well-drawn, tight tax reform bill.

If we had it, I am confident that it would be unnecessary to put on a surcharge now—and we should have had this study by now—and it would be unnecessary to do a great many other things which are quite unpopular tax-wise, whereas tax reform will be popular with all except a few vested interests.

I would hope that the Senator from Louisiana would listen to what I am saying now, because it is perfectly clear that the first and most important tax reform is to cut out the oil depletion allowance. I am very much concerned, since Paul Douglas left the Senate, that we have not really had any thrust to get rid of the oil depletion allowance, which I say again—as a beneficiary of oil royalties—is absolutely economically unjustifiable.

I congratulate the Senator from New York for taking this step; and I hope that before this report comes in next December, we will not have to impose a lot of unjust taxes on the American people

because we do not have the benefit of appropriate tax reform.

I know that the Senator from Delaware has been active in this respect.

Mr. LONG of Louisiana. Mr. President, will the Senator yield, on my time?

Mr. JAVITS. May I finish?

Mr. President, in proposing the modification of my amendment, which I will do in a moment, and in acting as I am, I am not trying to prejudice anything. The view of Senators as to what should be included in a tax reform package will have plenty of time to manifest itself.

I wish to make clear to the Senator from Louisiana that I am not adopting the argument of the Senator from Pennsylvania as part of the argument for this particular measure, so there is no legislative record on that subject.

I am perfectly willing to consider whatever the administration sends us, and then we will use our own wit and good judgment on it. It so happens that my own attitude on that subject was somewhat more favorable to the position of the Senator from Delaware [Mr. WILLIAMS] than to the position of the manager of the bill. But it is not material now. The administration may recommend things which I will find very onerous and which the Senator from Pennsylvania will find very onerous, on totally different subjects. We all know that the matter has been studied for some time, as to what aspects of the tax code require modification. As a matter of fact, many of us believe that they have it on the desk now, and that the only reason they have not sent it to us is that they want this 10-percent tax surcharge. Well, this is life.

I believe that what the Senator has suggested, considering the political realities, is probably the best we can get. Therefore, I hope we will all save our time and tempers, instead of arguing about the details of tax reform, and agree that it is desirable to get a statement of the position.

Therefore, I modify my amendment in accordance with the modification I have sent to the desk, which I ask the clerk to read.

The PRESIDING OFFICER. The amendment will be so modified.

The amendment, as modified, will be stated.

The legislative clerk read the amendment, as modified, as follows:

At the end of the bill insert the following:

"SEC. 8. SUBMISSION OF PROPOSALS FOR TAX REFORM.

"Not later than December 31, 1968, the President shall submit to the Congress proposals for a comprehensive reform of the Internal Revenue Code of 1954."

Mr. LONG of Louisiana. Mr. President, I am pleased that the Senator from New York has made clear that he is not insisting that there be any particular recommendation in the field of tax reform. On that basis, I believe I can support the Senator's amendment.

The Senator from Pennsylvania [Mr. CLARK] has said that he thinks he is not properly entitled to a 27½-percent depletion allowance, that he is not justified in receiving it. That being the case, I think he should not claim percentage

depletion, but should pay his tax on a cost depletion basis.

As a practical matter, there is a better argument for denying the oil depletion allowance to a royalty owner who needs no incentive to simply sit there on the land while somebody else explores for oil, than there is for denying the depletion allowance to someone who goes out looking for oil.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I shall yield in a moment.

From a political viewpoint, since there are more landowners than there are oil producers, it would be more difficult to take that depletion allowance from the former group than from the oil companies. The point of the depletion allowance is something I am well prepared to debate in due course. Inasmuch as the Senator from New York is not making the issue, I shall not pursue it further at this time, except to yield to the Senator from Pennsylvania if he wishes to discuss whether or not he is entitled to the depletion allowance.

Mr. CLARK. Mr. President, I hope I am not violating rule XIX, section 2, which I had occasion to call into action the other day. I thought the Senator made a rather absurd suggestion that since I do not approve of the oil depletion allowance I should pay taxes on the whole thing. I did not approve of the rule, either, of which the Senator is one of the strong protagonists. I play games as I find them. I do not like to take two strikes with me when I go to bat. I do not think any Members of this body think I should pay oil depletion taxes. I think the suggestion is rather absurd.

Mr. LONG of Louisiana. All I am suggesting is that if the Senator thinks it is immoral to claim a tax deduction, he does not have to claim it.

Mr. JAVITS. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment. [Putting the question.]

The amendment (No. 661) of the Senator from New York [Mr. JAVITS], was agreed to.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. LONG of Louisiana. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. JAVITS. Mr. President, I move that the amendment which has just been agreed to be added to the bill.

Mr. LONG of Louisiana. At the end of the bill.

Mr. JAVITS. Yes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New York. [Putting the question.]

The motion was agreed to.

AMENDMENT NO. 672

Mr. JAVITS. Mr. President, I call up my amendment No. 672 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The bill clerk read as follows:

On page 7, line 23, strike out the period and insert the following: "except that the President shall not reserve from expenditure any amounts from appropriations or other obligational authority available for the following purposes:

- "(1) education,
- "(2) low-income housing,
- "(3) water and air pollution prevention,
- "(4) prevention and detection of crime,
- "(5) the District of Columbia,
- "(6) training and employment of disadvantaged persons,
- "(7) war on poverty."

The PRESIDING OFFICER. Is this the 2-hour amendment?

Mr. JAVITS. Mr. President, this is the 2-hour amendment.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. Mr. President, I am aware of the fact that the distinguished Senator from Pennsylvania [Mr. CLARK] proposes to offer an amendment to the pending amendment.

I ask the Chair, by way of a parliamentary inquiry, at what stage in the consideration of my amendment would an amendment to my amendment be in order, so that I may gage my time?

Mr. CLARK. Mr. President, I would like to be heard on that point before the Chair rules.

Mr. JAVITS. Mr. President, I yield 1 minute to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, at the appropriate time I do intend to call up my amendment No. 680. It is my understanding that that amendment can be called up at any time before the final vote on the pending Javits amendment. Is that correct?

The PRESIDING OFFICER. The amendment of the Senator from Pennsylvania would be in order after the 2 hours have expired or all time has been yielded back, and prior to the vote.

Mr. CLARK. I thank the Presiding Officer.

Mr. JAVITS. Mr. President, in view of the importance of this amendment, I wish to suggest the absence of a quorum, and I ask unanimous consent that the time not be charged against either side.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. JAVITS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, I should like, if I may, to interest as many Senators as I can in the discussion of the amendment.

I yield myself 10 minutes.

First, Mr. President, may I say that I support the Smathers-Williams substitute, as it may be amended, with the exception, of course, of one of the things that is in it—and I cannot do anything about it now, apparently—and that is the textile quota amendment, which really does not belong in the bill, no matter what one may think about it, and which I hope will be properly disposed of in conference. But, laying that aside, and dealing only with the tax questions, I say I support this concept.

That being said, one must examine the structure of the Smathers-Williams approach in order to see precisely what it will do. It will be noted that the \$6 billion prospective reduction in expenditures—if Members of the Senate will look at it, and I hope very much they will look at page 7 of the measure, and item (b) under that particular section—is to be taken out of appropriations made by the Congress which are prospective. In short, we ourselves are not actually cutting; we are simply giving a mandate to the President that, in cutting, he shall cut \$6 billion out of the aggregate appropriations which the Congress will pass.

It will be remembered that yesterday the Senate decided to hold to Congress certain of the authority which it has basically, the power of the purse, and not to surrender it to the President. In this case we determined to hold our authority with respect to public works projects, and so we struck out the whole moratorium on public works, making the decision, quite properly, that we will not yield that power to the President or to the Office of Emergency Planning or its Director.

The amendment which I have before the Senate seeks to do substantially the same thing with respect to the crisis of the cities, for it would preserve from the power of the President the authority to cut those items of appropriations and expenditures which represent the essence of the crisis of the cities.

We will, ourselves, creatively have the power to deal with these appropriations. We may set them at whatever figure we like. We may cut or we may increase them. But we will address ourselves to it.

In proposing this amendment, I have no guarantee that the amounts which I would like to see appropriated will be appropriated, but if this amendment carries, we will have one guarantee, and that is, that the President will be unable to apply to these appropriations any part of the \$6 billion overall cut in expenditures which we provide for in this bill. I think it is essential, in the crisis of the cities, that we should reserve to ourselves this authority.

I must say I am deeply discouraged—and this is what really started me on this amendment—by the reaction of the President and the administration to the report of the President's Commission on Civil Disorders. Here was a report which I think all America hailed as containing a prescription which might bring us some reasonable measure of domestic order and tranquility in 1968. I have hardly seen, outside the administration, any basic criticism of its findings, aside from the general color which was disagreed with in some quarters that it represented

reaping the whirlwind of a century of neglect of our Negro minority population. But as to the recommendations of the report, the emphasis on jobs being the key to human dignity, the key that will unlock all other doors in the slums of the United States, and as to the ideas set out on housing, education, crime, and crime control, it was generally hailed as a magnificent landmark document.

Yet it was completely cold-shouldered by the administration. The President did not embrace it. He did not even mention it. The Vice President found fault with it in a minor way, without espousing it as a major report. Again, I hardly think this was in the Vice President's nature, but I think he was bound by the administration's policy, indeed, in treating the report so coldly. Knowing him and knowing that he would be one of the most fervent advocates of it were he still a Senator only confirms my view that this is the general administration policy.

Then when the new Secretary of Health, Education, and Welfare, Wilbur Cohen—incidentally, I am delighted his nomination was confirmed—gave it the cold shoulder, it was very clear what the administration's policy was with respect to this report.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I am glad to yield.

Mr. CLARK. I am afraid the Senator is being a little unfair to the Vice President. I saw him on television yesterday afternoon as a part of the Huntley-Brinkley broadcast, and he spoke with words of great praise for the report. He did have some qualifications, to be sure. The first part of his presentation indicated he thought it was a splendid report that should be read by all Americans and, generally speaking, he was in accord with its recommendations.

Mr. JAVITS. I am delighted to hear that. The reports I had read before indicated he was that lukewarmly for it. Since I consider the Vice President my friend, I am pleased to hear the Senator from Pennsylvania say that.

Mr. President, I was stimulated in preparing the amendment by virtue of the fact that we will want, as far as we can, affirmatively to help implement this report. We will determine where we can and where we cannot in the appropriations. Certainly we have already heard word on the floor here about the Memphis riot, which seems to have very seriously dented one of the major strongholds of nonviolent protest, to wit, Dr. Martin Luther King's organization, and those who would follow him. We deplore the development of horror and terror that occurred there. It is very significant to me that apparently the focal point of this outbreak was a relatively small band of militant young Negroes, according to the press reports.

It was accounted for also because people were nervous and a little trigger happy as a result of a rather oversized police reaction, which the reporters noted. But that is symptomatic—and this is no place to discuss the anatomy of that particular riot—of our times, and indicates why we should do our utmost to do justice and constructive things to

avoid, as the Bible says, the stern decree which we seem to be in for, to some extent at least, in 1968.

The amendment would, therefore—and I wish to emphasize that—not secure the cities against cuts in appropriations, but would assure against Presidential cuts after Congress had acted on each appropriation.

This area is so sensitive that it certainly deserves this kind of treatment. If leaving out public works was deserving, as a majority of the Senate thought it was, how much more deserving is preserving for ourselves what we will do about the crisis of the cities?

Mr. CLARK. Mr. President, will the Senator yield at that point?

Mr. JAVITS. I yield.

Mr. CLARK. I note the Senator places great stress upon appropriations and authorizations for the cities, and I share his concern in that area, but I would like to point out what I am sure the Senator knows, that the areas in which he would exempt cuts by his amendment involve many programs for rural areas, too.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself another 5 minutes, Mr. President.

Mr. CLARK. The Senator has put a copy of an explanation on each Senator's desk dealing with priority exemptions, which I have read with interest. There again, he stresses the city. I would point out that, under the heading of education, a considerable portion of that money goes to rural areas. There is more and more low-income housing being built in some of the rural areas. Surely the rural areas are equally concerned with water pollution control, though perhaps not so much with air pollution control. Certainly there is a crime problem in the rural areas.

Of course, the District of Columbia is an urban center; but as to the training and employment of disadvantaged persons, I think the Senator from New York and I agree that we ought to lay great stress on the training of disadvantaged persons in the rural areas, in the hope of preventing them from coming to the urban areas, and of inducing industry to move into the rural areas, by helping make possible the expectation of finding a skilled labor force when they get there.

Mr. JAVITS. Mr. President, I am very grateful to the Senator for his intercession. He anticipated one of my arguments. I was going to point out, in due course, how the necessities of the cities mesh with the necessities of the rural areas, because great pressure has been created within our cities by the migration of people from the rural areas, and it is extremely desirable, in our consideration of these appropriations, that we make rural living and the opportunity for a full life in rural areas more attractive. There is, in addition, a very large amount of rural poverty of the worst kind—sometimes even worse than that of the cities—which feeds the migration into the cities and materially aggravates city problems.

So that is very much an element in what I have to say.

Mr. President, I wish to emphasize the

main point, which is that we are not insuring these appropriations as against cuts; we are just insuring them as against cuts over and above the cuts which are made by Congress itself.

The second point of great importance, Mr. President, is the amount involved. It will be noted that conservatively estimated the amount involved in my amendment is \$6,177,000,000. This represents the expenditures proposed by the President in his fiscal year 1969 budget. I wish, Mr. President, to refer to the fact, as part of the legislative history, that these are the items which are contemplated within the board terms of this amendment; that is, the items totaling \$6,177,000,000, which are a part of the RECORD; I put it in last night.

Senators will want to know, if we reserve whatever may be appropriated with respect to this \$6,177,000,000 from the President's cutting power under the Smathers-Williams amendment, what do we leave available for cuts? I should like to make that clear, Mr. President, because I believe it is most important. What we leave available for cuts are, for one, the so-called relatively controllable civilian expenditures with respect to the budget, and they amount to a total of \$39.5 billion for the 1969 estimate.

In any case, these items are listed in the budget message of the President at page 15 as relatively controllable civilian programs, including outlays for prior year contracts and obligations, and the amount is \$39.5 billion.

If we, therefore, deduct the budgetary amounts for the seven areas, which my amendment would prevent cutting once

they are appropriated, we still have left, in relatively controllable civilian programs, \$33.2 billion.

In addition, Mr. President, outside of Vietnam, from the national defense establishment would be available cuts in non-Vietnam defense spending of \$54 billion. That is in the budget outlay table on page 25 of the budget. Overall defense expenditures for fiscal year 1969 are estimated at \$79.8 billion.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. JAVITS. I yield myself 5 additional minutes.

The estimate for Vietnam is \$25.8 billion. Therefore, the difference is about \$54 billion.

Mr. President, with the national defense figure of \$54 billion and the relatively controllable balance of \$33 billion added, we get a total of \$87 billion, to which the \$6 billion cut for which we shall call may be applied by the President. It seems to me, Mr. President, that my exemptions bear the same relation to those expenditures that the tax surcharge bears to income taxes—in the general area of 10 percent—and therefore, it is an entirely reasonable approach to take as far as we are concerned in this very sensitive area.

Mr. President, I ask unanimous consent that the table from the budget message of the President for fiscal 1969 entitled "Controllability of Budget Outlays" be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

CONTROLLABILITY OF BUDGET OUTLAYS

[Fiscal years. In billions]

Type of controllability	1967 actual	1968 estimate	1969 estimate	Change, 1968 to 1969
National defense.....	\$70.1	\$76.5	\$79.8	+\$3.3
Relatively uncontrollable civilian programs: Open-ended programs and fixed costs:				
Social security, medicare, and other social insurance trust funds....	30.3	34.3	38.5	+4.2
Interest.....	12.5	13.5	14.4	+.9
Civilian and military pay increase.....			1.6	+1.6
Veterans pensions, compensation, and insurance.....	4.9	5.1	5.2	+.1
Public assistance grants.....	4.2	5.2	5.7	+.5
Farm price supports (Commodity Credit Corporation).....	1.7	2.8	2.9	+.1
Postal operations.....	.8	.7	.3	-.4
Legislative and judiciary.....	.3	.4	.4	(0)
Other.....	2.4	2.7	2.8	+.1
Subtotal, relatively uncontrollable civilian programs.....	57.1	64.7	71.8	+7.1
Relatively controllable civilian programs, including outlays from prior year contracts and obligations.....	35.2	39.0	39.5	+.5
Undistributed intragovernmental payments (—).....	-4.0	-4.6	-5.0	-.5
Total, budget outlays.....	158.4	175.6	186.1	+10.4

¹ Less than \$50,000,000.

Mr. JAVITS. Among the items which are included in this type of approach are military purchases in Europe—which, incidentally, are listed in the budget at more than \$2 billion; the supersonic transport, which could be in for well over \$200 million; the civilian space program, for \$400 million; and various aspects of the foreign aid program.

Mr. President, I am personally partial to the foreign aid program, and want very much to protect it; but nonetheless, it is within this tranche that I have described, that would be subject to cuts.

Another item is Government personnel. There are various types of contingency

funds on the part of the President, which are down for \$400 million.

Mr. President, I do not necessarily agree that the President ought to cut many of these items, but nevertheless these are items which are available, and which represent a measurable field in which the \$6 billion in cuts may be effected.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. Not yet.

Mr. President, one other thing is very important. The concept which is contained in my amendment comes out of a very splendid initiative taken in the

House of Representatives by a group of Members headed by Representative CHARLES GOODELL, of New York, in which they proposed what they called the human renewal fund. They proposed a \$6.5 billion cut in expenditures and the restoration of roughly \$2.5 billion for jobs, education, housing, pollution, crime, rural revitalization, and the District of Columbia.

Mr. President, I have incorporated this whole concept which those gentlemen offered—which I consider to be a very splendid one—in an amendment calling for precisely that kind of a cut. That is amendment No. 637. But, Mr. President, I am in no position to present that amendment, including the part of it for which I am here contending, unless and until the Smathers-Williams amendment should be rejected. I doubt very much that it will be, and I hope it will not. Hence I have taken out of my own blanket amendment carrying out this human renewal plan that part of it which is directly applicable to this question of priorities, which I have laid now before the Senate.

Mr. President, in conclusion, I should like to repeat the major point that the budget estimate items which I am seeking to reserve out of the area which the President can cut need not necessarily be in that exact amount. Congress may appropriate less or it may appropriate more. But whatever it does appropriate will not be subjected to Presidential cuts. And even after that, there still remains approximately \$87 billion in programs available for the cuts provided by the Smathers-Williams amendment.

Under those circumstances, and considering the precedent which we set last night with respect to public works, I think that we should at least insure our freedom of action without an overriding Presidential right to cut further in these items which are of such critical importance to the struggle against poverty and to the order and tranquility of our Nation.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. Mr. President, I yield 2 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I certainly support the Senator's amendment wholeheartedly. But I would point out to him that there appears to be an inconsistency between the provisions in the bill, which are very sweeping and which contain no dollar figures, and the provisions in the paper which he has placed on the desk of each Senator with respect to the protection of perhaps \$6.177 billion of expenditures and net lending in fiscal 1969.

I call to the Senator's attention an example under which his amendment would contain an exception for education. Yet, in the paper he has had passed around the Senate, he refers only to elementary and secondary education.

I point out that higher education is of equal importance. I hope that the Senator will not make legislative history which would enable all higher education appropriations to be cut as much as any-

one wants to cut them, despite the wording contained in the amendment.

Mr. JAVITS. Mr. President, in response to the Senator's statement, I was trying to outline the major items which would be included in the reserved items. I will get the figures for higher education, perhaps while the opposition is speaking, and I will see then what can be done to fit those in.

Mr. CLARK. Mr. President, will the Senator yield me 30 seconds?

Mr. JAVITS. Mr. President, I yield 30 seconds to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 30 seconds.

Mr. CLARK. Mr. President, I suspect—in fact, I know—that in each of the other seven categories which the Senator has in the provision, there are other programs which are not included in his explanation which I would hope the Senator would want to have included.

I do not have the dollar figures here, but I would hope that the Senator has made legislative history and indicated that he intends the words in his amendment to be used in the normal and reasonable sense and not be restricted in the sense indicated in the paper he has had passed around the Senate.

Mr. JAVITS. I thank the Senator from Pennsylvania for calling my attention to that matter. I am sure that we will take care of it in the intervening period, and I assure the Senator that I will take another look at the figures.

Mr. President, I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, the yeas and nays have been ordered. I do not intend to speak for more than a few minutes. I would be perfectly willing to surrender part of my time for the purpose of suggesting the absence of a quorum, if the Senator would be agreeable, with the understanding that we reserve perhaps 5 minutes to each side and then vote.

Mr. JAVITS. Mr. President, there are other Senators who wish to be heard. So, if the Senator from Louisiana would be kind enough to address himself to the matter for as long as he wishes, I will see that we get another speaker over here.

Mr. LONG of Louisiana. Mr. President, the amendment seeks to take programs for education, low-income housing, water and air pollution prevention, the District of Columbia, the prevention and detection of crime, training and employment of disadvantaged persons, and the war on poverty and exempt those programs from the reductions that would have to take place. In fact, the amendment would provide that there would be no reduction in those programs. Reductions would be required, however, in other programs.

It does not make any sense to me. If there have to be reductions, the new programs should be considered along with the other programs, in my judgment, to see where we can make some cuts.

If we agree to this amendment and exempt such programs, we would place a heavier burden on many other programs of long standing, such as the highway program and the public works program. We would have to cut deeper in the areas

that, in my judgment, are even better established in the public mind and more popular with the public in order to give priority to the urban areas.

I represent urban areas and a lot of rural areas. It is my impression that the people in the rural areas also need the services of the Government, whether it be the REA, the highway program, farm price supports, or whatever. They need these programs as badly as the people in the cities need the programs directed toward them. In some ways, they may need the programs more. Rural people are not as prosperous as far as per capita income is concerned.

If we must have this \$6 billion spending cut, I think that the programs for housing and control of air pollution and disadvantaged people, and the other programs that have a particular appeal to the urban areas, including the war on poverty, should take their share of the cut along with all the rest.

There is no appeal to me, and I doubt that there will be any appeal to Senators generally, in an action which favors the urban areas over the rural areas in the matter of where the cuts should be made. That is the case, as I see it, against the amendment. I think the amendment tends to discriminate against people of the rural areas in favor of those in urban areas and to favor certain new programs over old established programs.

If we are going to have to tighten our belts as much as the Williams-Smathers substitute requires, I would think that the war on poverty would have to be examined for possible reductions along with everything else.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. Mr. President, I yield to the Senator from Florida such time as he may desire.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. SMATHERS. Mr. President, first, speaking only for myself, I am a bit discouraged about our program for a combination tax increase and expenditure reduction.

As I endeavored to say last night, but did not say too well, the package which had been proposed by the distinguished Senator from Delaware and myself was a very fragile package. What we are trying to accomplish, and what most of us or many of us think needs to be done, is to impose greater fiscal order on our domestic Federal budget and improve our international balance of payments. And we believed that the best way to accomplish this and the only way we could acquire the votes to do it would be to have a tax increase of—in the form of the 10-percent surcharge which had been recommended by the President and which met with same favor on the Democratic side of the aisle—and, at the same time, have an expenditure cut—which met with considerable favor on the Republican side of the aisle.

Last October I had suggested a proposal of this nature. It did not get any attention at that time. It did not get off the ground, so to speak.

Also, the distinguished minority leader, the senior Senator from Illinois [Mr. DIRKSEN], made a similar proposal and

his proposal did not seem to get off the ground. Thereafter, in January, the distinguished Senator from Delaware [Mr. WILLIAMS] came in with the same type of proposal, but he had proposed in greater detail what he wanted to do. He called for an \$8 billion expenditure cut and approximately a \$10 billion or \$12 billion cut in new obligational authority. He included a public works cutback and a moratorium on new starts. He also included a personnel limitation and several other items.

I went to the distinguished Senator from Delaware at that time. We thought that we could work out something between us and that we might be able to get a bill passed which we both thought would be very much in the best interest of the country.

So he agreed to reduce the amount of expenditure control from \$8 billion to \$6 billion.

I forgot to say one thing. In his original package, he had only a 6-percent tax surcharge. I asked him whether he would increase it, the rate of tax, and he accepted a 10-percent increase. So we compromised on a 10-percent surcharge and we got a \$6 billion reduction in expenditures, a \$10 billion cut in new obligational authority, and the public works moratorium, and the personnel limitations.

The distinguished Senator from Delaware had been telling me for some time that if any of these provisions in the package were knocked out, some of the Senators on his side of the aisle might decide at that point that they could no longer support the package. Frankly, that is why last night I felt so keenly and felt as disappointed as I did at the end of that vote when we lost by one or two votes.

As I said before the vote, we have put together a very fragile package, and if we destroy more of the pieces it is likely to come loose at the seams.

I do not know exactly what the future of the package is at the moment, but I would say that certainly the package cannot be improved. It has no chance to succeed, in my judgment, if we attempt to emasculate it further, as has been suggested by the distinguished Senator from New York; that is, by approving the exceptions he is now talking about to the expenditure cuts in the package. He does not want to apply the cuts to education, low-income housing, water and air pollution prevention; prevention and detection of crime, the District of Columbia budget, training and employment of disadvantaged persons, and the war on poverty.

These, of course, are very appealing items. Nobody likes to be against education. Nobody likes to be against elementary and secondary education. Nobody likes to be against the teachers. Nobody likes to be against the expansion and improvement of vocational education. Nobody likes to be against educational improvement for the handicapped.

These are all very appealing items. These are the items for which we have been appropriating large sums of money in the past 8 or 10 years, some of which, in point of fact, perhaps we have over-

done. I do not know. But, essentially, nobody likes to be on record against education.

However, I do not know where you begin to cut a budget, I do not know how you decrease expenditures, I do not know what you can accomplish by this manner of making reductions, unless you make the reductions generally across the board. We are leaving to the discretion of the Appropriations Committee the specific areas for reduction. If you except education, if you except low-income housing, if you except water and air pollution prevention, if you except prevention and detection of crime in the District of Columbia, then, of course, if you have an expenditure cut of \$6 billion, you must practically eliminate many other items.

So what will the Senators from the farm areas say—the Senator from Kansas; the Senator from North Dakota, who is in the Chamber; the Senator from Alabama? They will say, "Look, you cannot cut the Commodity Credit Corporation. You cannot cut any programs we have going for the farmers. Who are the most depressed people we have in all the United States? It is the farmers. We can prove to you that of all the disadvantaged people we know about, it is the farmers."

So you know very well that when you have a bill of this nature which would except the programs which are of great importance to mostly the urban areas of our country, the farmers will say, "You cannot cut us either."

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. I should like to make a correction. The Senator may not have been in the Chamber when I analyzed the budget message of the President.

One of the uncontrollable expenditures, and therefore one which would not be in any way affected by my amendment, is farm price supports, which is budgeted at \$2.9 billion for 1969. When I outlined what would be available for cuts, even after my amendments were adopted, I pointed out that that would not include what the budget calls relatively uncontrollable civilian programs, among which is farm price supports.

Now, whatever there may be to the Senator's argument, that is a point of fact. That would not be affected.

Mr. SMATHERS. I should like to yield to the distinguished Senator from Delaware on that point, and let him explain to the Senator from New York. There are many uncontrollable items which cannot be cut.

Mr. WILLIAMS of Delaware. I point out to the Senator from New York that I am not debating the point as to whether this is or is not a place at which the cut should be made. I particularly tried to maintain my support of this package without making establishing priorities on the floor of the Senate.

However, while it is true that there may be some uncontrollable items in the budget, there are also many controllable items. I cite one in agriculture which was just mentioned as being fixed. The support levels for the various agricultural

commodities are determined by the Secretary, and they will be determined in the weeks immediately ahead. Conceivably, as they change these support prices for certain crops, up or down, it does increase or diminish the amount of the cost.

I will agree that there are uncontrollable items; but certain items in any department could be curtailed by the administration, and they particularly may be subject to control by the administration in a year when it would be a strong incentive at times to perhaps boost these prices. So there could be some control in that area.

I can appreciate the position of the Senator from New York. I discussed his amendment with him earlier, and I told him then I would oppose it because, while we were strongly in favor of the mandatory reduction of \$6 billion in the ceiling and the \$10 billion in the budget authority, I did not believe that on the floor of the Senate we should get into the details as to where these cuts should be made but that it should be left to the Appropriations Committee in the weeks and months ahead as they act on each of the 1969 appropriations for the respective agencies. It was for that reason that I strongly opposed yesterday—and the Senator from Florida joined in that opposition—that we single out public works as being exempt. I will concede to the Senator from New York inasmuch as the Randolph amendment carried yesterday, that that action, to a certain extent, strengthens his argument that if you are going to single out public works, why not single out education and various other programs. As the Senator from Florida has indicated, that argument has much appeal, but its acceptance will definitely defeat this pending bill.

I hope this amendment will be rejected because I know that otherwise other amendments will be submitted and we will end up with all the pet programs of Senators exempted. Let us be realistic. If we are going to exempt all programs from this economy move there will not be any reduction in expenditures. Let us not fool ourselves.

I made the statement early in this discussion, very frankly, that as the pruning knife begins to work—if this package is accepted—and the \$6 billion cut in expenditures and the \$10 billion cut in appropriations are applied, it will hurt. It will hurt some programs that I like. It will hurt some programs that are desired in my State. It will hurt each Senator with respect to some of his pet projects. But this goal can be accomplished in no other way. The only alternative I see is to continue down the road of deficit spending, which I do not believe we can afford in face of the \$48 billion deficit which we would have in fiscal 1968-69, assuming there would be no change in the tax structure and no change in the spending level that is budgeted. For that reason the amendment must not be agreed to. It would open the floodgates. I would not be a part of trying to kid the American people that there would be expenditure reductions left in this measure. I say that with all due respects to my friend from New York.

I concede that the Senator from New York does have a strengthened argument after what the Senate did yesterday; however, I think we made a tragic mistake yesterday when we opened this matter partially and started to exempt certain programs. It was a mistake, and I am fearful that it may have been a fatal one. Nevertheless, I do not want to go further down the road to what I am confident would be the end of this effort if the amendment were agreed to.

I thank the Senator from Florida.

Mr. SMATHERS. I thank the Senator from Delaware, and I agree with him.

Mr. CLARK. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. PEARSON in the chair). Does the Senator yield?

Mr. SMATHERS. I yield to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I wonder if the Senator from Florida and the Senator from Delaware might not agree that the place to make these cuts—and I thoroughly agree they have to be made in view of the dangerous gold situation in which we find ourselves—would be the places that have swollen unjustifiably in the military and space budget, and thus enable all domestic programs to continue. We have \$80 billion in the budget for the military. It seems to be sacrosanct.

I read an article in the Washington Post this morning that stated the Pentagon is using \$2.5 million for a bird study. This is the kind of thing I am talking about. I think any sort of examination of the military budget would make it possible to make more than the cuts which the Javits amendment would provide for.

Mr. SMATHERS. Mr. President, I am happy to try to respond by saying I am sure the Senator appreciates the fact that at this particular time it would be very difficult in light of the fact that we are in Vietnam to the large extent that we are.

UNANIMOUS-CONSENT AGREEMENT TO TEMPORARILY LAY ASIDE AMENDMENT NO. 662

Mr. WILLIAMS of Delaware. Mr. President, with the concurrence of the Senator from New York, I ask unanimous consent that the amendment of the Senator from New York be temporarily laid aside and that the Senator from Tennessee [Mr. BAKER] be permitted to present an amendment for clarification, which the authors of the package did not think necessary but which the Tennessee Valley Authority, which is in the State the Senator represents, believes would be better to have spelled out in the bill. The amendment is a measure on which there will be no argument; we can accept it immediately.

The PRESIDING OFFICER. Is there objection?

Mr. LONG of Louisiana. Mr. President, reserving the right to object, I ask that it be understood that this request is without prejudice to the time that has been charged against both sides, and that the time will continue to run when we return to the consideration of the amendment of the Senator from New York.

Mr. WILLIAMS of Delaware. That is my understanding.

Mr. JAVITS. Mr. President, reserving the right to object—and I shall not object—I ask unanimous consent to include also the provision that immediately after the disposition of the Baker amendment we will return to the pending amendment.

The PRESIDING OFFICER. Is there objection to the request? There being no objection, it is so ordered.

The Senator from Tennessee is recognized.

AMENDMENT OFFERED BY MR. BAKER TO AMENDMENT 662

Mr. BAKER. Mr. President, I send to the desk an amendment to amendment No. 662 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. BAKER. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with and that the amendment be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment, ordered to be printed in the RECORD, is as follows:

On page 3, line 19, insert the following: "To employees of the Tennessee Valley Authority engaged in its power program and paid exclusively from other than appropriated funds,"; and

On page 7, line 16, following paragraph (4), insert the following new paragraph:

"(5) Those expenditures from power proceeds, including the proceeds of power revenue bonds and notes, of the Tennessee Valley Authority in excess of the amount shown for such expenditures in the Budget of the United States for such fiscal year."

Mr. BAKER. Mr. President, the sole purpose of the amendment, which is an amendment to the Williams amendment, is to make abundantly clear that the Williams amendment does not apply to nor restrict the use and utilization of funds in the Tennessee Valley Authority derived from power revenues and the sale of power revenue bonds and notes.

Mr. WILLIAMS of Delaware. Mr. President, as I stated earlier, there is no objection to accepting the amendment.

We were advised by the Treasury Department that they could not possibly have taken those funds because our proposal deals with revenues available to the U.S. Government separately. This is a separate entity.

We accept the amendment.

Mr. President, I yield back the remainder of our time.

Mr. BAKER. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Tennessee. [Putting the question.]

The amendment to the amendment (No. 662) was agreed to.

AMENDMENT NO. 672

The PRESIDING OFFICER. Who yields time on the amendment of the Senator from New York?

Mr. JAVITS. Mr. President, I yield 5

minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. BROOKE. Mr. President, first let me say that I am certainly in sympathy with the distinguished Senator from Delaware in his move for economy. I do understand the practical considerations he has suggested in opposition to the amendment offered by the distinguished Senator from New York.

The Senator from New York has submitted a most vital and important amendment. It is an amendment which, if enacted, would seek to insure that those programs most essential to our Nation's welfare would receive the full funding to which they are presently entitled.

There are many good reasons for providing the maximum possible appropriations, not for some but for all the programs in which our Government is presently engaged. We derive great benefit from programs which provide for new construction, which conserve our natural resources, which promote scientific explorations and technological innovation.

But I submit that it will not benefit us, in the long run, if we build great office buildings and stadiums, develop supersonic jet transports, and even land a man on the moon, but do not provide a better life for our own people here on earth.

It should be self-evident that we should provide many billions of dollars more than we have for education, health, crime prevention, and the war on poverty. At the very least we should make sure that these funds are not reduced at a time when the needs of our people and our society are greatest.

There are in our country today 6 million substandard housing units in which an estimated 10 to 15 percent of our population live. Many of these units are in our central cities where inadequate job opportunities, public services, education and health facilities combine to entrap the inhabitants in an endless cycle of poverty from which they, and the cities, and the entire Nation suffer immeasurably.

In our country today it is not unusual to find suburbs which spend twice as much on education per pupil as do the neighboring central cities. Yet an increasing percentage of our population is located in the central cities. And most who are compelled to live in the ghetto are disadvantaged not only in education but in job opportunities and housing as well.

In our country today, 32 million Americans are living in poverty. Of these fewer than 9 million, or a little over one-fourth of those who need it, are receiving any form of public assistance. Ours is the only nation in the entire Western World which regards welfare as a dole or a handout and not as a right of citizens who are otherwise unable to provide for themselves.

Job training is desperately needed by those Americans whose education—or lack of an education—has not equipped them to compete in the present job market. Although our numerous manpower training programs, if continued at the present rate of funding, will soon reach a million of the unemployed, more than

twice that number, or 2 million of those who need job training, will receive no aid.

No one can deny, with the rising crime rates presently facing this Nation, that adequate appropriations are required for crime prevention and control. As criminal mobility increases and our lawless citizens acquire and use more sophisticated weapons and means of evading the law, it is essential that better techniques of detection and control be devised and implemented. We cannot afford to cut back funding in this area, either.

Providing a better environment for all our citizens should also be high on our list of priorities. Clean air and clean water are no longer aspects of our environment which can be taken for granted. Pollution threatens our rivers and streams, our drinking water and our beaches. Smoke and waste from industrial plants and exhausts soil our buildings and our homes, impair our vision, and threaten the health of all our people indiscriminately. These problems, too, must be dealt without delay.

Mr. President, the amendment of the Senator from New York is intended to provide a guideline, to establish priorities for a nation at war—at war not only in South Vietnam, but here at home.

I hope that this amendment, expressing as it does our deep concern with the problems of our people and our personal commitment to the welfare of our country, will be adopted by the Senate.

Mr. JAVITS. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from New York is recognized for 30 seconds.

Mr. JAVITS. I wish to thank the Senator from Massachusetts [Mr. BROOKE] for his very helpful intercession in this debate, and for bearing out from another State and another vantage point the essentiality of what I have provided, which in no way interferes with the essential purpose of the bill but only retains in Congress authority with respect to items so critical to domestic order and tranquility.

I thank my colleague.

Mr. BROOKE. I thank the distinguished Senator from New York for his generous comments. He has made a most worthy contribution in offering his amendment and I hope that it will be adopted.

Mr. JAVITS. Mr. President, I yield 4 minutes to the Senator from Connecticut [Mr. RIBICOFF].

The PRESIDING OFFICER. The Senator from Connecticut is recognized for 4 minutes.

Mr. RIBICOFF. Mr. President, I commend the distinguished Senator from New York for introducing this amendment. The Senator has highlighted the fact that the security of the Nation is as deeply involved here at home as it is in Vietnam.

None of us who have followed the events of the past 4 years can fail to realize how much violence and hatred threatens to tear apart the fabric of American society.

It is my feeling that there is as much at stake in solving the crisis of the cities as there is in determining the future of American policy in Vietnam.

Long before the Kerner committee handed down its report, our subcommittee, for 2 years, went into all phases of the problem in an effort to try to determine what the problems were. The distinguished Senator from New York was a member of that subcommittee and performed yeoman service in his analysis and questioning.

It became obvious to us that it was important for the United States to make a commitment to help solve the problems facing American cities. None of us contended that the immediate voting of funds would automatically solve the crisis.

For 100 years, the United States has neglected the problem of the Negro. Yet, it is little understood that when we talk about the problems of poverty and the problems of the city, we are not just talking about the problems of the Negro because, when we analyze the problems of poverty, we find that 67 percent of those living in poverty are white. The figures are also interesting because they show that in cities over 50,000 population, 50 percent of those who live in poverty are also white.

Thus, what we seek to solve is the problem of poverty and neglect, which involves not only Negroes but also whites, Mexicans, Indians, Puerto Ricans—wherever Americans may live—in both rural and urban areas.

It also became obvious during our hearings that we faced a crisis of doubt. A great doubt existed in the minds and hearts of millions of Americans that we were even trying to attempt to find a solution of their problems.

As the frustration and disillusionment grew, the realization came that civil rights legislation of itself would not solve the problems and it became important to go to the basic problem.

We cannot afford to neglect the immediate problems that cry out for solution.

The Senator from New York, in his amendment, has pointed out the needs and the necessary priorities.

Mr. President, without question, the first priority to help solve the crisis of the cities and the crisis of the disadvantaged, Negro or white, is jobs. That is the No. 1 priority, because a job brings self-respect. It brings independence. It brings economic advancement and a way of the ghetto on an individual basis. The future of the economy and the future of our society could be in great jeopardy if we eliminated manpower development and training activities. Thus, I say that is the No. 1 priority in this country.

The second priority is in the field of housing and the physical environment, the development of decent and safe neighborhoods.

Today, there are some 4½ million substandard housing units in urban America. It becomes important for us to eliminate those substandard housing units. Of course, we cannot do it this year. It will take at least 10 years to eliminate all substandard housing units. But, we must begin. We must make a start and carry on a program.

Nor, Mr. President (Mr. LAUSCHE in the chair), can we afford to ignore edu-

cation. This is a matter of high priority because without education, we have nothing. There is a great opportunity to proceed in the field of education to improve the lot of the handicapped and the disadvantaged.

When it comes to the prevention and detection of crime, what is so little understood—and which the hearings brought out—is that the Negro in the ghetto wants more law enforcement instead of less law enforcement, because the main victim of crime is the resident of the ghetto himself.

Every study indicates the need for more and better law enforcement. Certainly we should not deprive or take away any funds that would provide for more law enforcement—not only to bring peace and tranquillity to all America, but also to improve the lot of the people living in the ghettos.

Once more, I commend the Senator from New York. His amendment is an absolute "must."

I would hope that we would keep our eyes on the main problem; namely, the national security of our Nation which is threatened right here at home.

I know of no greater way to protect the national security of our country than for the Senate to vote for the amendment of the distinguished Senator from New York.

Mr. JAVITS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 minutes.

Mr. JAVITS. I am very grateful to my colleague from Connecticut. He was a leader in the hearings on the Government Operations Committee on the question of the cities. He is a former Secretary of Health, Education, and Welfare, where he made an extraordinary and outstanding record of achievement. He is also a former Governor of the State of Connecticut.

The Senator from Connecticut has had a wealth of experience on which to speak concerning the pending amendment and I am, once more, very grateful to him for his important contribution to this amendment.

Mr. President, I reserve the remainder of my time.

Mr. COTTON. Mr. President, will the Senator from Louisiana yield me 6 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 6 minutes to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 6 minutes.

Mr. COTTON. Mr. President, I do not rise to oppose the amendment now before the Senate. Undoubtedly when we breached the wall yesterday and proceeded to take out all the substantive provisions against public works, part of which at least certainly can justly be referred to as public works legislation, the distinguished Senator from New York is amply justified in breaching the wall again on a matter which pertains to the health and welfare of the people of this country. But I merely rise because I thought later in the day I could not have the time, and I wanted to get this information into the RECORD.

In the first place, the Senator from New Hampshire will probably be unable to vote for the Williams-Smathers substitute, anyway, because, as he has said today, with the exception of perhaps the limitation on employment, the only thing in that substitute that is going to stick will be the tax. The economies in that substitute, in the opinion of this Senator, are hardly worth the paper they are written on.

Already in this fiscal year we have had \$3.2 billion in supplementals, and another big one is coming up, it is anticipated. So that even if those economies were put into effect, we can see how easy it would be for the Executive to circumvent those economies in fiscal 1969 by supplementals. But the people who will violate, the people who will nullify, this earnest and sincere attempt for economy will be ourselves, and particularly the committee on which I serve and the Senator from New York serves, the Appropriations Committee.

In any approach to accomplish what the Senator from New York wishes to accomplish, and to make the substitute worthwhile, there should be written into the bill a limitation of authority, of authorization. That binds the Appropriations Committee. There is nothing improper about it, because the Appropriations Committee now cannot appropriate a cent that is not authorized.

I want to call to the attention of the Senate that 50 Members of the other body, advised by technical staff, have come up with concrete recommendations of cutbacks. I merely want to call to the attention of the Senate the subjects they cut.

They recommend a reduction of military personnel in Europe.

These are deferrals and reductions. This does not abolish the appropriation. Some of the others are:

Supersonic transport, except research and development.

Defense supported arms sales abroad.

Civilian space program.

Highway beautification.

Longworth House Office Building renovation. This was suggested by the other body.

Madison Library.

Government Printing Office building, site acquisition, and planning.

USDA, \$10,000 maximum subsidy limit per farm.

Freeze on moderate and high-income apartment building programs—not low income, but moderate and high.

A cutback on foreign aid.

A cutback on forest roads construction, 50 percent of it being new of the entire amount.

Arts and Humanities Foundation.

Public office buildings, site acquisition, and planning.

Public information.

Post office buildings, 50-percent unobligated, new obligational authority.

A freeze on Government civilian employment. That, of course, is included in the present substitute.

National Science Foundation.

Forest highways, 50 percent, new construction.

Earth description and mapping, 50 percent, new unobligated authority.

President's contingency reserve held to 1968 level.

Public works, 20-percent stretchout.

Appalachia held to 1968 level.

That, itemized, would lead to cut in appropriations for fiscal 1969 of \$6,614,916,500.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. COTTON. I yield.

Mr. JAVITS. The Senator is reading the findings of a group headed by Representative GOODELL, of New York, and that is precisely what my amendment is based on.

Mr. COTTON. I was coming to that, if the Senator will permit me.

Mr. JAVITS. Very well.

Mr. COTTON. This does affirmatively what the distinguished Senator from New York does, in a sense—he cannot help it, because he has to do it that way in this particular bill—negatively.

The recommendations further provide that, of the \$6.6 billion saved, \$2.5 billion shall be plowed back into what? Plowed back into the areas of air and water pollution control, crime control, vocational and technical education, job and economic development.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. COTTON. Mr. President, may I have 2 additional minutes?

Mr. LONG of Louisiana. I yield 2 minutes to the Senator from New Hampshire.

Mr. COTTON. This is a logical way to reduce current spending by \$4.1 billion, they say.

All I can say is this: There are some modifications which all of us might make in this particular proposal. There are some I can think of that should be added. They do not touch the sensitive point the Senator from New York is striving to save on the floor this morning. But the point is, if Senators want to make this particular bill, or the substitute for it, meaningful, the way to do it is for the Senate to specifically limit and cut back on authorizations for fiscal 1969 only.

That is not an insult to the Appropriations Committee. We cannot appropriate for anything that is not authorized. It is the only way. Otherwise, voting for this substitute is voting for the tax, perhaps providing for some restrictions on Government employment; the rest is just a dream and a matter of a New Year's resolution.

I voted against exclusion of public works yesterday. What I shall do about the Senator's proposition does not matter—I intend to vote against the substitute, because the substitute is not bombproof. It is not even a real guarantee of any kind of economy. It simply means that we are voting the tax and making a gesture for economy.

Mr. JAVITS. Mr. President, I yield myself 2 minutes. The Senator from New Hampshire will find that I actually based my amendment on Representative GOODELL's plan, which the Senator referred to with approval. That is amendment No. 637. The difficulty is that the amendment would not be in order until disposition of the Williams-Smathers substitute. The only part which would be in order is the part I am moving now to take items

such as those in the human renewal fund and sets it up as what the President—I emphasize, the President—could not cut. So I hope the Senator understands the scheme of my amendment clearly.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. COTTON. I do understand it. I commend him. It is my hope the substitute will be defeated. It is my hope the Senator from New York will then submit that amendment. The Senator from New Hampshire will certainly support it.

Mr. President, I ask unanimous consent that following my remarks there may be printed in the RECORD a table of the items I referred to.

Mr. JAVITS. Mr. President, will the Senator also include the human renewal items; that is, the restorations, as well as the cuts?

Mr. COTTON. I am glad to.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

<i>Immediate budget deferrals</i>	
60 percent reduction of military personnel in Europe...	\$2,080,000,000
Supersonic transport (except research and development)	222,000,000
Defense supported arms sales abroad	200,000,000
Civilian space program	400,000,000
Highway beautification	85,000,000
Longworth House Office Building renovation	6,058,000
Madison Library	2,500,000
Government Printing Office Building (site acquisition and planning)	2,500,000
USDA: \$10,000 maximum subsidy limit per farm	410,000,000
Freeze on moderate to high income apartment programs	400,000,000
Foreign aid	700,000,000
Forest roads construction (50 percent new)	45,790,000
Arts and Humanities Foundation	9,800,000
Public buildings (site acquisition and planning)	5,497,000
Public information	100,000,000
Post office buildings (50 percent unobligated NOA)	36,121,000
Freeze on Government civilian employment at 97 percent	961,000,000
National Science Foundation	250,000,000
Forest highway (50 percent new construction)	15,000,000
Earth description and mapping (50 percent NOA)	6,750,000
President's contingency reserve (1968 level)	400,000,000
Public works (20 percent stretch-out)	200,000,000
Appalachia (1968 level)	86,900,000
Total	6,614,916,500

We believe these are programs of high priority, which as now projected will not result in the minimum benefits desired. Therefore, it will be our recommendation to the Congress that we plow back \$2.5 billion of the \$6.6 billion savings and deferrals. The prime programs which must be improved are in the areas of air and water pollution control, crime control, vocational and technical education, job and economic development. This is a logical way to reduce current spending by \$4.1 billion and also shift the emphasis to meet critical needs.

It becomes obvious when wrestling with this problem that, long term, our only hope of achieving a balance between revenue and spending is through substantial reduction

in our military requirements. Let us remember that we outdo the Communists at every turn on a peaceful course; that is why they inevitably try to draw us into war.

Mr. JAVITS. My own time is rather limited.

Mr. COTTON. That is why I asked for time from the other side.

Mr. JAVITS. Mr. President, I yield myself 2 minutes to sum up. Then I would suggest a unanimous-consent request to the Senator from Louisiana.

I am trying to deal with priorities. I am not trying to curtail what we will cut. I am putting a priority upon items which, in round figures, represent about \$6 billion of the budget.

This claim for priority is attributable to the crisis facing this country, a crisis in the cities equal to the crisis in Vietnam.

Mr. President, most of these items, of course, benefit rural areas. We made that clear before. That is true of water and air pollution, crime detection and prevention, manpower, and education especially; but the essential thrust is with respect to the crisis in the cities, and it does carry out essentially what was an effort to allocate priorities in the House study to which I have referred, that is, to cut \$6.5 billion, but to add \$2.5 billion in these designated areas, because the thing I violently objected to on the part of the administration was its failure to face the necessity of fixing priorities. It has talked about a tax surcharge and it has talked about reducing expenditures, but it has been unwilling to face the necessity of grasping the nettle of the question, "Where are you going to cut?" It just says, "Leave it to us."

We are unwilling to leave it to them; we showed that yesterday by eliminating the whole public works picture; and in my opinion we should show it today by reserving to ourselves these key items having to do with the crisis in the cities.

Again I point out, Mr. President, that the President still has plenty of places to cut the \$6 billion we ask him to cut if my amendment is adopted, because he has \$87 billion in controllable expenditures outside of Vietnam, both in defense and in the whole host of other items which the Senator from New Hampshire just detailed, which can be cut by the President; and the ratio of the \$6 billion exemption to \$87 billion is less than 10 percent.

We certainly do not restrict the amplitude of the President's authority or his ability to carry out our will, but we protect ourselves in certain key items over which we wish to exercise control. That does not mean they will not be cut, but we want the control of what is cut and what is not.

Mr. LAUSCHE. Mr. President—

Mr. JAVITS. Not yet. Mr. President, I intended to suggest to the Senator from Louisiana that we might bring this debate to a close as soon as the Senator from Ohio or any other Senator who wishes to ask questions has finished, provided we can obtain unanimous consent to reserve 5 minutes of time on each side after the Clark amendment to my amendment has been voted on. Otherwise, we would be completely shut off from any opportunity to debate the main

point again, after the Clark amendment is disposed of.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

Under the unanimous-consent agreement, we cannot do what the Senator from New York suggests. I assure the Senator, however, that I will yield him some time on the bill to explain his amendment after the Clark amendment has been disposed of.

Mr. JAVITS. I am sure that will be satisfactory.

Mr. LAUSCHE. Mr. President, reserving the right to object, what is the request? For the fixing of time?

Mr. LONG of Louisiana. There is no request.

The PRESIDING OFFICER. There is no request. Who yields time?

Mr. LONG of Louisiana. Mr. President as far as I am concerned, I am prepared to yield back the remainder of the time I control on the Javits amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have in my hand the statement prepared by the Senator from New York in support of his amendment, and I should like to make inquiry as to where the figures shown on this paper were obtained.

Mr. JAVITS. They came out of the budget of the U.S. Government. And may I zero the Senator in on the principal item?

Mr. LAUSCHE. That is, they are copied from figures in the budget?

Mr. JAVITS. They are budgeted figures.

Mr. LAUSCHE. And that is the budget for 1969?

Mr. JAVITS. Exactly. And may I point out to the Senator that the essential facts are contained at page 15, the table being headed "Controllability of Budget Outlays," and I have put that in the RECORD.

Mr. LAUSCHE. Can the Senator state whether, for example, the figure on elementary and secondary educational activities of \$1.4 billion is more than the appropriation for fiscal 1968?

Mr. JAVITS. If the Senator will give me a moment to consult a table which I have before me. If the Senator wishes to make further inquiries, I will come back to it, and give the Senator the facts in a moment.

Mr. LAUSCHE. The inquiry is directed toward ascertaining whether these several itemized figures are not all in excess of the appropriations which we made for fiscal year 1968.

Mr. JAVITS. I can answer the Senator's question. The item on elementary and secondary education, is \$14,376,000 less than the appropriation for 1968.

Mr. LAUSCHE. Does the Senator have before him that part of the budget which will disclose whether these figures from the budget of 1969 are in each case in excess of, equal to, or less than the appropriations for 1968?

Mr. JAVITS. A quick calculation would indicate that, taken together, they are somewhat less. For example, I find a slight increase in the Teacher Corps, of \$8 million.

Mr. LAUSCHE. What about the expansion and improvement of vocational education?

Mr. JAVITS. That is less. That is more than \$13 million less.

Just a quick survey would indicate that the aggregate figure of \$6,177 million is less than the 1968 appropriation.

Mr. LAUSCHE. Mr. President, I will forgo using the remainder of the time allotted to me and examine the book myself, with the view of determining what the facts are.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudice to the Senator's rights and without the time running on either side, the Senate may turn to the consideration of the nominations on the executive calendar.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

The PRESIDING OFFICER. The Senate will proceed to the consideration of executive business, for action on nominations.

U.S. AIR FORCE

The assistant legislative clerk read the nomination of Lt. Gen. Jack G. Merrell, U.S. Air Force, to be a general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations for promotion in the U.S. Navy.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

The assistant legislative clerk proceeded to read sundry nominations in the Navy and the Marine Corps which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. EASTLAND, from the Committee on the Judiciary:

Wilbur H. Dillahunty, of Arkansas, to be U.S. attorney for the eastern district of Arkansas.

LEGISLATIVE SESSION

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Is time yielded back on the Javits amendment?

Mr. JAVITS. Mr. President, I yield myself 30 seconds. On the assurance of the Senator from Louisiana that a minimum of 5 minutes will be allotted to me on the bill to debate my amendment after the vote on the Clark amendment, I am prepared to yield back the remainder of my time.

Mr. LONG of Louisiana. I give the Senator that assurance, and I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back.

Mr. CLARK. Mr. President, I ask unanimous consent that I may suggest the absence of a quorum without the time being charged to either side.

Mr. LONG of Louisiana. Mr. President, I feel that I must object. Senators are waiting to vote on these matters. I am willing to have the time charged equally against my time and the Senator's time, or against my time alone, if the Senator prefers.

I ask unanimous consent that the time be charged equally against both sides.

I ask that the Senator from Pennsylvania first offer his amendment.

Mr. CLARK. Mr. President, I intend to offer my amendment; but the time for the quorum call can be charged equally against both sides on the pending amendment, can it not?

The PRESIDING OFFICER. The Chair advises the Senator that there is no time remaining on the pending amendment.

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds on the bill. If the Senator from Pennsylvania will offer his amendment, I shall be glad to yield half the time for the quorum call from my time on the amendment, and we can have a quorum call.

AMENDMENT NO. 680

Mr. CLARK. Mr. President, I will agree to having half of the time charged against my time.

I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, the Senator must first offer his amendment.

Mr. CLARK. I call up my amendment No. 680 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

On page 2 after line 4, insert the following: "(c) Insofar as may be practicable, the reservations from expenditure provided for in subsection (b) shall be made from authorizations for:

"(1) foreign military assistance;
"(2) the space program; and
"(3) the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of United States troops."

Mr. CLARK. Mr. President, I suggest the absence of a quorum.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair). Without objection, it is so ordered.

Mr. CLARK. Mr. President, I ask for the yeas and nays on the Clark amendment.

The yeas and nays were ordered.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, my amendment is really a complement to the Javits amendment. The Javits amendment provides where cuts should not be made. My amendment provides where cuts should be made.

It is a very simple amendment. It is amendment No. 680 and a copy will be found on the desk of each Senator. The amendment is only about nine lines long.

It provides that insofar as may be practicable, the reservations from expenditures, which under the Javits amendment are not to be made from such areas as education, low-income housing, and the like, shall be made from three sources:

First, foreign military assistance.

Second, the space program.

Third, the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of U.S. troops.

Mr. President, last August 22, at the time of the consideration of the—

The PRESIDING OFFICER. The Senator will suspend until the Senate Chamber is in order.

The Senator may proceed.

Mr. SMATHERS. Mr. President, I ask that the time just consumed not be charged against the time of the Senator from Pennsylvania.

Mr. CLARK. I thank my friend, the Senator from Florida, for his unfailing courtesy.

Last August 22 at the time the Department of Defense appropriation bill was under consideration, I made a rather extensive speech pointing out the desirability at that time of cutting some \$3,500 million from the Defense budget.

I ask unanimous consent that a re-

print of that speech and the colloquy I had with various Senators be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the CONGRESSIONAL RECORD, Aug. 22, 1967]

DEPARTMENT OF DEFENSE APPROPRIATIONS BILL, 1968

The Senate resumed the consideration of the bill (H.R. 10738) making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes.

Mr. DIRKSEN. Does the Senator actually intend to make his motion to recommit?

Mr. CLARK. Yes, I do; and for the information of the Senate, Mr. President, I now move that the bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes, be recommitted to the Committee on Appropriations, with instructions to report the bill back to the Senate as soon as practicable with such amendments as are necessary to accomplish a reduction of \$3.5 billion in the total amount now appropriated by the bill, as the committee may think necessary.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Pennsylvania.

Mr. CLARK. Mr. President, I should like, if I might, to address some questions to my good friend, the floor manager of the bill, the Senator from Mississippi [Mr. STENNIS].

Mr. CLARK. I ask my friend, the distinguished Senator from Mississippi if it is true, as alleged by Members of the other body when the pending bill was before the House for passage, that this is the largest single appropriation bill ever presented to Congress.

Mr. STENNIS. The Senator is correct. I made that statement in my opening statement. There were other war years, as I recall, when the total amounts in all bills for military were greater. However, that was not in a single bill.

Mr. CLARK. I ask my friend, the Senator from Mississippi, if the amount in the pending bill as reported to the Senate is not \$70,156,420,000.

Mr. STENNIS. The Senator is correct, except for the reduction we made on the floor earlier.

Mr. CLARK. Is it not correct that on top of that huge amount we can also expect before the end of the fiscal year a supplemental military appropriations bill?

Mr. STENNIS. The Senator is probably correct. There may be a supplemental defense bill. However, that depends largely upon the number of additional men that we send to Vietnam.

Mr. CLARK. Can the Senator give me any idea now as to how much money the supplemental appropriation bill is likely to contain?

Mr. STENNIS. There are different ways of making an estimate on that. However, I had rather rest on this matter on the prediction that this war will soon be costing us \$2.5 billion a month.

Mr. CLARK. The Senator will recall that a year ago when the bill was before the Senate he and I had a most interesting colloquy at which point he advised me that in his judgment—which turned out to be a pretty good one—the war was then costing us in the neighborhood of \$2 billion a month.

For the 12 months of the last fiscal year, if we say that the cost is \$2 billion a month or \$24 billion for the fiscal year, we would not be very far away from the correct figure for the fiscal year ending June 30.

Mr. STENNIS. I think it came to just about that amount in the fiscal year that just closed. That is a round figure, but that is about it.

Mr. CLARK. May I ask the Senator whether the 45,000 additional troops which the Presi-

dent has indicated he wants to send to Vietnam are funded in the pending bill?

Mr. STENNIS. The bill before you provides funds for an in-Vietnam strength of 475,000. An increase above that number will bring about an increase in the cost of the conflict. The increase to date already amounts to 45,000.

Mr. CLARK. So, therefore, that would have to be included in any supplemental bill which comes along.

Mr. STENNIS. The Senator is correct. And that is about as accurate as we can get. It has not been contemplated that these men would be sent to Vietnam. However, it has been contemplated that there will be that many men in uniform, and it has been provided for.

Mr. CLARK. The President in his message requesting a tax increase indicated that the cost of the military part of the budget might well go up by a total of \$4 billion. I take it that no part of that amount is included in the pending bill.

Mr. STENNIS. This Senator is correct. I would not pit my judgment against the President's at all. However, in my opening remarks I alluded to the statement by the Secretary of Defense during our hearings in which he indicated that, barring unforeseen contingencies, no supplemental for 1968 would be required. In my statement I said that I did not share that belief, for I think there is every likelihood that there will be a supplemental.

Mr. CLARK. Would the Senator be shocked if I suggested my untutored guess that the supplemental appropriation which we will face before the end of this fiscal year is likely to be at least as much as \$10 billion? Does the Senator think I am high?

Mr. STENNIS. I would not want to make an estimate now on the facts I have before me. I would rather that the Senator make his own estimate.

I have said that I thought it would be from \$4 billion \$6 billion anyway if 100,000 additional men are sent to Vietnam. And they already plan to have 45,000 additional men in Southeast Asia.

Mr. CLARK. Whatever amount the supplemental appropriation may be—and I guess we can agree that it will be at least \$5 billion—that amount would have to be added to the deficit for the fiscal year ending June 30, 1968.

Mr. STENNIS. The Senator is correct. I assume there will be a deficit. Additional defense expenditures would have to be added to the cost in the fiscal year 1968 and presumably to the deficit.

Mr. CLARK. Actually, my friend, the Senator from Mississippi, is keenly aware of the fiscal implications of the pending bill. I think he has been very candid and very honorable in pointing out that we are heading for an enormous deficit in the coming fiscal year whether we pass the tax bill which the President has recommended or not.

I think the Senator has answered all of the questions I wanted to ask him. I thank the Senator.

Mr. STENNIS. I thank the Senator from Pennsylvania.

The PRESIDING OFFICER. Will the Senator kindly send to the desk his motion?

Mr. CLARK. I did not understand the inquiry of the Chair.

The PRESIDING OFFICER. The Chair is advised that it would be very helpful to the Parliamentarian to have the motion that has been offered by the Senator from Pennsylvania because it contains instructions that we frankly did not hear at the time the Senator made his motion.

Mr. CLARK. I would be happy to repeat the motion which I think I have already cleared as to propriety with the Parliamentarian.

The PRESIDING OFFICER. The Parliamentarian advises that the rules require that the motion be formally sent to the desk.

Mr. CLARK. The Senator from Pennsylvania is very happy to take it to the desk in person. The Parliamentarian may not be able to read my writing.

Mr. President, my first argument in support of the proposed reduction in the appropriation is that the bill is too high. This is a swollen bill containing, in my judgment, billions of dollars of unnecessary appropriations. We are spread too thin in the world, and I suggest that it is time that we begin to pull in our horns.

My second point is that the bill, and its predecessors—starting with the acceleration of the war in Vietnam—is largely responsible for the fiscal crisis in which we now find ourselves.

My third point is that there is a growing resentment against the apparent need for tax increases dictated in part, but not entirely by the war in Vietnam, but dictated perhaps even more by the successful efforts of the military-industrial-scientific-congressional complex to foist on this country a series of expenditures which, in my judgment, may in the foreseeable future threaten our democratic system of government and erode our liberty.

My fourth point is that there is no real necessity by reason of the current situation in Southeast Asia or with respect to China to justify the enormous expenditures we are now engaged in making in the Army, Navy, the Air Force, and the Marine Corps.

My fifth point is that the war in Vietnam has arrived at a stalemate, that the possibility of our winning it in the foreseeable future is minimal, that it is likely if we continue on our current course we will be there for a decade, and that, as the Senator from New Jersey [Mr. CASE] pointed out earlier today, we should either have some assurance from the President that a military victory and/or a pacification of the country is within the reasonable possibility of achievement in the reasonably near future, or we should have a complete reexamination of our entire Southeast Asia policy.

My last, or sixth point, is that Congress—and, indeed, the administration—has a false set of priorities as to what is important in terms of the foreign and domestic policies of this country.

I shall develop each of these points in turn, but I thought it might be useful to give the general outline of my speech before I make it.

I. A SWOLLEN APPROPRIATION

I turn now to point No. 1. The bill is too high. We are spread too thin from a military point of view.

When this bill was before the other body, Congressman GEORGE E. BROWN, Jr., of California, the only Member of the House who voted against the bill, pointed out that it was the largest single appropriation ever presented to Congress. He also stated:

"The amount of money represented by this bill is equivalent to the total gross national product of approximately one-third of the human race. It is staggering to the imagination to realize that this Congress for 150 years struggled over the appropriation in total of an amount of money that we have disposed of here this afternoon in three or four hours."

He was discussing the debate in the House of Representatives.

This bill calls for the deployment of a total of 3,464,302 men. In the military personnel section of the committee report, the dollar figures, when presented in conjunction with the number of men to be kept under arms and in uniform—in the Army, the Navy, the Air Force, the Marine Corps, the Reserve, the National Guard, and the other minor components of the armed services—work out at a cost of \$5,400 for every man in the armed services.

If you were to cut back the military personnel in this bill to the actual number of individuals in the armed services in fiscal

year 1966, you would reduce the 1968 estimate from 3,464,302 military personnel to 3,091,552. If you were to make that cutback and make the basic assumption which I believe we should make—that we can get along very well in the United States of America in the next fiscal year with the number of men under arms that we had in fiscal 1966—you would immediately cut \$1,914,200 from the total amount of the bill. So that there, alone, in the one element of military personnel, you could get approximately \$2 billion of the \$3.5 billion which my motion to recommit envisages.

I have not attempted to pinpoint the reductions which the committee, in its wisdom, might determine to make in the event the motion to recommit should carry; but there are obviously vast areas where substantial reductions could be made without affecting in any way the military mission of the United States, if that mission really is to maintain peace, to work for international cooperation, and to bring the difficulties which now confront us into the diplomatic area instead of the military area.

Title II of the bill deals with operation and maintenance. I will not undertake to suggest specific cuts there. I do not have the expertise to make such suggestions. But no Senator can read through that portion of the committee report without concluding that substantial cuts totaling, at the very least, several hundred million dollars, could be made in the operation and maintenance part of the bill.

Then we come to the procurement part of the bill for which \$5,578,600 is requested for the Army, including missiles, of which we have so many already that they are coming out of our ears.

Every Senator knows, and most of the people in the United States know, that we have an overkill capacity, in terms of nuclear weapons, which could flatten the Soviet Union and Communist China together several times over, and still leave a substantial arsenal in the hands of the Army.

Procurement of aircraft and missiles for the Navy is recommended by the committee at \$2,950,700. Shipbuilding and conversion for the Navy is fixed at \$1,297,000. Other procurement in the Navy is fixed at \$2,336,000. Procurement in the Marine Corps is fixed at \$665 million. Procurement in the Air Force, which includes many a missile, also, is fixed at \$5,547,400.

So, without attempting to indicate to the committee in any specific way, because I say again I do not have the particular expertise to do so, these are the general major areas where, in my opinion, cuts far in excess of \$3,500,000,000 could be made, without affecting in any way the national security of the United States or the capability of our Armed Forces to do those things which they should be doing in terms of defending the United States of America.

I say again what I said last year when this bill was before us: This is not a defense appropriations bill. This is an offense appropriations bill. Let no one contend that the \$70 billion in this bill is intended to defend the United States of America. Far from it. It is intended to defend a wide perimeter all around the world, in many parts of which the United States is engaged in ground operations totally unsuitable to the American character, and where we are pouring out our treasure and our manpower in futile efforts to hold beachheads in countries far beyond the legitimate diplomatic interests of the United States.

So if we are prepared to renounce the thought that we are the modern Roman Empire and that we should impose a Pax Americana on the continents of Latin America, Africa, Asia, and particularly Southeast Asia, and also to undertake the guarantee that another war should not break out in Western Europe, if we are going to

renounce that concept, this bill could be cut, not by the amount I am proposing of \$3.5 billion, but at least by \$10 billion which the Senator from Oregon proposed an hour or two ago that we cut from the bill.

Mr. President, I complete my summary of my first point by reiterating that this is a swollen bill in terms of money; it gives us an offensive capability far in excess of the defensive needs of the United States, and far in excess of our legitimate objectives.

II. THIS BILL AND ITS PREDECESSORS ARE LARGELY RESPONSIBLE FOR THE FISCAL CRISIS IN WHICH WE FIND OURSELVES

Mr. President, I now turn to my second point. The fiscal crisis in which we find ourselves was graphically set forth in the President's tax and budget message of a couple of months ago. He then pointed out that the total expenditure contemplated in his budget message for the fiscal year ending June 30, 1968, was \$135 billion. Of that sum, \$70 billion, or more than one-half, is represented by this bill.

The President told us that by reason of the fallback in contemplated revenues and the increases in contemplated expenditures, the \$9 billion deficit which he envisaged in January 1967, when he sent his budget message to Congress, had increased to somewhere between \$23.6 billion and \$28 billion. This, obviously, is a frightening deficit, one which I am confident will be all too likely to bring on the fiscal crisis, dislocation, huge deficit, inflation, tight money, and the high interest rates which the President referred to in his message.

The President suggested there were two courses which Congress and the country could pursue in the light of his fiscal crisis. The first course was to do nothing and let things drift. He pointed out the dire consequences of such a course, and strongly recommended that we follow a second course, which was to make a series of drastic economies, almost all out of domestic programs.

He paid lip service to cutbacks in defense expenditures, but by the time he finished he indicated the defense expenditures might be in excess of what he contemplated in his budget, and this suggestion on his part was no less than candid because in the same message he indicated he wanted to send 45,000 more men to Vietnam. As the Senator from Mississippi so candidly replied in answer to my question, the sending of those men is not funded in this bill, although it is true that most or perhaps all of them are now in uniform.

So the President recommended additional taxes to the tune of \$7.4 billion and a cutback in domestic expenditures, which he thought might result in a deficit, not of \$23 billion to \$28 billion but \$14 to \$18 billion.

I say that deficit is unmanageable. The greatest peacetime deficit we had before was during the Presidency of Dwight Eisenhower, when it went to \$13 billion and brought on both deflation and recession. I would have little doubt, although I am not a trained economist, that the same result would occur if we were to repeat that disaster and run a deficit of that sum.

The PRESIDING OFFICER, The Parliamentary informs the Chair that the 3 minutes of the Senator on the motion has expired, but the Senator has 2 hours remaining on the bill.

Mr. CLARK. I am grateful to the Parliamentarian for calling that technical point to my attention. I was under the impression I was using my 2 hours on the bill. I should have stated so. I would like to have the time I have used charged to my time on the bill, and I ask unanimous consent that may be done.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, I suggest that there is a third alternative and a wise and sound alternative which the President did not mention in his message. That third

alternative is to obtain, in one way or another, a large part of the curtailment of expenditures out of appropriations which do not cut into the heart and soul of the American people, do not prejudice the poverty program, do not prejudice Federal aid to education, do not result in our turning our heads away from the task we have undertaken of eliminating water pollution and air pollution in this country, do not turn our backs on the Appalachian program, do not turn our backs on a score of other programs including housing for low-income families, rent supplements, model cities, mass transit, public health, and welfare expenditures.

Mr. President, these programs of the once Great Society are the heart and core of the Roosevelt-Truman-Kennedy-Johnson program and I, for one, shall fight as hard as I can to prevent those programs being curtailed. There are programs where we can make cuts without affecting the well-being of a single American citizen. There are three, and the first is the foreign aid program. We have already cut \$800 million out of the foreign aid bill, which is pretty close to being 30 percent of the total bill. The House of Representatives has already cut \$500 million from the space program. I am in favor of those cuts in light of the fiscal condition and approaching chaos in which we find ourselves. However, why is the military appropriation bill the sacred cow which, like the sacred cows in India, cannot be touched by a Senator or a Representative? Who are we afraid of? I know the Hindus in India are afraid of their gods should they undertake to kill sacred cows over there. That is one of the reasons the Indian economy is in such a chaotic condition. The cows are eating the food which should go to human beings.

I suggest, Mr. President, it is high time the Senate faced the logic of the situation and undertook to cut reasonable amounts from the Defense appropriation bill, with the idea in mind that we might even make the proposed tax increase unnecessary—although I am afraid we cannot do that; but at least that through the total of the cuts in the particular appropriations which do not affect the health, well-being, or safety of a single American family, we could make some significant contribution toward cutting our enormous deficit.

The President is asking for additional taxes totaling \$7.4 billion. If we were to recommit the bill as I have suggested, there is almost half of that amount in this bill. Add the \$800 million from the foreign aid bill, and the budget figure of \$500 million from the space bill, and we have another \$1.3 billion. So that we are getting within striking distance of the \$7.4 billion in additional taxes which the President is asking.

Oh, no, we are not there. If we had adopted the proposal of the Senator from Oregon—I was one of the five Senators who voted for it—we would be there. I know that the Senate is not ready to go that far. I expect the vote which will take place in the reasonably near future to recommit the Defense appropriation bill will indicate that I will get few, if any, votes, just as the Senator from Oregon did. But let us face this problem now. Because if we do not do so now, we will have to do so on the supplemental appropriation bill and on the bill next year; or this country will go bankrupt. We cannot continue at this rate without either going bankrupt or raising additional taxes far in excess of anything the President has recommended.

What we are doing now in Congress is going down that first alternative against which the President warned us. He said that there were two alternatives: one, to face the situation, pull in our belts, and the other just to let things drift. That is just what we are doing: We are letting things drift.

I hope that, in due course—if not tonight—the Senate will face its fiscal responsibilities.

It has been said that only \$22 billion of

the \$70 billion in the appropriation bill is for the Vietnamese war. My good friend from Mississippi has suggested that the figure should be a little higher. I think he would place it at \$30 billion for the coming fiscal year. Let us say it is \$30 billion. This is a bill for \$70 billion. What are we going to do about the other \$40 billion which is not part of the war in Vietnam?

How can we possibly justify not cutting the bill on the grounds that we are providing our boys in Vietnam with everything they need—although I think the way to provide them with everything they need is to bring them home under an honorable peace—but how can we justify not cutting this swollen bill with the \$40 billion additional in it not being used for Vietnam, kidding ourselves and the country that we are doing the patriotic thing, which will result, in all likelihood, in a fiscal crisis which will bring us—and I use these words advisedly—close to the brink of monetary and fiscal disaster.

Certain Senators have suggested that I should indicate where the cuts should be made. Earlier, I indicated that I do not think I have the expertise to do that. But if I were a member of the Appropriations Committee, I would look pretty hard at military personnel and cut back on that total to the figure we had at the end of 1966 which, in itself, would obtain \$1,981 million in savings.

I would also take a good hard look at procurement in the Army, Navy, Air Force, and Marines in terms of missiles. We have such a huge overkill now that it is, to me, a futile suggestion to manufacture, store, and stock more lethal weapons of atomic destruction.

Mr. HART. Mr. President, will the Senator from Pennsylvania yield at that point?

Mr. CLARK. I am happy to yield to my good friend from Michigan.

Mr. HART. I must plead guilty to being one of the Senators about whom the Senator just made reference. I was one of the Senators who went to him and said, "Look, please do not use the rule of thumb, x percentages of the total, and ask us to reduce it by that amount. And don't pick a fixed figure and then tell us that is the equivalent of a 10-percent tax surcharge."

Mr. CLARK. Because of my enormous admiration for the distinguished Senator from Michigan, that is what I have done. I have followed his advice.

Mr. HART. Yes, but we are now down an alley which seems to be equally blind. I am going to read the Senator's remarks at the end of the day—

Mr. CLARK. The Senator will have voted before he can read them.

Mr. HART. Then I will sit here and listen to the Senator's remarks. Perhaps he will be pleased to give us a summary of what he is proposing, because I am anxious about it. I suspect I speak for a lot of frustrated Members in this Chamber on that score.

Mr. CLARK. Yes; and there are plenty of frustrated Members in this body.

Mr. HART. I feel as the Senator from Pennsylvania does, uncomfortable in stating to the Army, Navy, Marine Corps, National Guard, and others, what particular items we believe can wait a year, or saying that something is an item we never did or will need. He and I find ourselves on committees which expose us not to that specific information, but to overwhelming and specific domestic needs which must be met, I suspect, with the same directness that any foreign enemy has to be met with and which relate equally to our survival as a society worth protecting.

Certainly, I share the point the Senator from Pennsylvania has just made. Who wants to run around with a label on him, "You let our boys down in South Vietnam"? No one. And none of us do.

I share the Senator's feeling that the best thing we can do for our boys in Vietnam is to bring them back home under an honorable peace. I think the Senator from Pennsylvania used those words. The problem is when we get to define the conditions, it gets

to be about as difficult as looking at a \$70 billion defense budget and pointing to what items should be eliminated. Surely there are some substantial items that could wait until we put the fires out at home. In order to get the water to put out those fires, we are going to have to take a look at this \$70 billion and see if we can trim it.

I am very grateful to the Senator from Pennsylvania for taking the leadership in an effort to identify those things that prudent men would agree are desirable but are not essential under the circumstances which exist today.

Mr. CLARK. I thank my friend from Michigan for his most helpful intervention. I want to make my own position crystal clear because I made some points before the Senator from Michigan came into the Chamber.

As I look at the bill, as a layman, I think I can see a number of areas where it could be prudently cut.

One is by cutting down the size of the Armed Forces. I have looked at the military personnel sections of the bill. I find if we could cut back the total number of individuals within the armed services to the figure we had in 1966, we could save \$1,912,000,000.

Then I looked at the procurement section of the various armed services components, and I think I recall that most Senators—perhaps not all—are in agreement that we have an "overkill" capacity in terms of nuclear and hydrogen weapons, enough to flatten our enemy a good many times over, and that the needs of the Navy for a certain number of ships has been a little exaggerated.

So we could easily get this \$3.5 billion that I have in mind. But I do not want to take the responsibility for doing that and I do not think I should. That is why my proposal is to refer this matter back to the people who are experts with this proposed cut of \$3.5 billion, and ask them to cut the bill to that extent.

Mr. HART. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. HART. The Senator has stated the fact. I arrived late on the floor. I did not realize he was referring to a motion to recommit with instructions to eliminate the things that may be desirable but are not essential.

Mr. CLARK. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CLARK. I am glad to yield to the Senator from Oregon, whose courage I commend for the position he took today in the face of overwhelming odds.

Mr. MORSE. I am greatly honored to have the Senator from Pennsylvania stand shoulder to shoulder with me.

I am glad the Senator from Michigan made the last comment he made, which changes what I, otherwise, was going to say, although I still find myself completely in disagreement with the major thesis of the Senator from Michigan. I do not think the Senator from Michigan or any other Senator can sit here on the basis of the facts, and object to cutting a \$70.2 defense request, the largest in the history of this country, larger than at any time, larger than for World War II, World War I, the Korean war. It only bears out what I said this afternoon. We are turning over foreign policy, in a real sense, to the military. We get the same argument the Senator from Michigan is using, by clear implication, when he says he does not want to be put in the position that we are letting the boys down in Vietnam. We are not letting the boys down in Vietnam.

Mr. HART. Mr. President, will the Senator yield?

Mr. MORSE. Yes, I yield. If I made a misstatement, the Senator may correct me.

Mr. HART. Will the Senator from Pennsylvania yield?

Mr. CLARK. I yield.

Mr. HART. I was adopting, I will advise the

Senator from Oregon the remarks that had been made, perhaps before the Senator from Oregon reached the floor, by the Senator from Pennsylvania, who was explaining he did not like to be laid open to the assertion that he was letting down the boys in Vietnam by any meat-ax cut. I do not, either.

Mr. MORSE. In reply I wish to say that we have not offered meat-ax cuts. Our proposals do not let the boys down in Vietnam. The "letting down the boys" argument is the argument other Senators have made in this debate today. That is a flag-waving argument. When we propose cutting this bill, it does not involve any cutting into the Vietnam operation. No one can argue soundly that we would be letting the boys down if the cuts we propose were adopted. It is a non sequitur. In my opinion, it is an unfair argument to be heard from the lips of Senators of the United States. We have a trust and a duty to make cuts in the Defense Department as well as other departments if any of the amounts cannot be justified. When it can be shown there is a national interest need to make a cut in the \$70.2 billion defense appropriation, it is our duty to make it.

When the administration goes to the other departments and asks them to take a 10 or 15 percent cut in their appropriations, what is so sacrosanct about the Defense Department budget?

The amounts which would be reduced by the percentage cut, which the Senator from Michigan does not like, on the ground that it is a meat-ax cut, will be made by the very people in the Department of Defense the Senator from Michigan says are qualified to make the cut. My amendment calling for a 10-percent cut provided that the cuts would be made by the experts in the Defense Department.

Unless the Senator from Michigan is to take the position that the \$70.2 billion defense appropriation is sacrosanct and we cannot make any cuts in it, his argument falls to the floor. Let the Secretary of Defense take a 10-percent percentage cut which I propose and tell the President where he thinks the cuts should be made. He has authority to transfer money from item to item under my proposed 10-percent cut amendment.

We should not take the attitude that we cannot touch a \$70.2 billion Defense Department appropriation and say there is something about this that makes it untouchable. That is exactly the psychology the Defense Department is trying to create in this country. Those of us who oppose cutting the budget of the Defense Department are unfairly attacked. I know. I have been the butt of it. The charge is that if one takes the position the Senator from Oregon is taking, somehow he is unpatriotic because supposedly he is letting down the boys in Vietnam. That is hogwash. It is pure nonsense. My 10-percent cutting amendment would have not hurt the boys in Vietnam. It would strengthen our position in Vietnam by strengthening our economy. It is a mistake to take the position that this bill is an untouchable bill on the floor of the Senate.

I want to disassociate myself from any argument and any implication that a cut in this appropriation such as is being proposed by any of us has anything to do with the boys in Vietnam.

If the Senator from Michigan does not know where we can make cuts, I suggest that he consider the equivalent of eliminating four unnecessary divisions in Germany, for example. That would save quite a bit of money. Let him refer to the defense stock fund or the antiballistic missile proposal that we have in this bill. I suggest that cuts can be made there and I think they would be there under my proposal.

The fact is that, for some reason, there has developed in the Senate of the United States an unwillingness to face up to what I think is our clear responsibility to protect the in-

terest of the American taxpayer. Here is one vote against any tax increase, as I announced earlier. The American taxpayers are entitled to have Senators vote against tax increases unless they are willing to make cuts in a \$70.2 billion defense appropriation. In closing I want to make clear that I respect the views of my friend the Senator from Michigan [Mr. HART]. I do not question his dedication to the welfare of our Nation. I do not question his sincerity in believing that my proposals for cutting this bill are unwise. I know that he is not charging me with letting down the boys in Vietnam. However, in fairness to myself and to him I have made these remarks in an endeavor to leave no room for doubt as to the intent and purposes which are behind the proposals I have made this afternoon.

Mr. HART. Let me make very clear that any suggestion that the Senator from Oregon, in offering his amendment, was letting down the boys in Vietnam would be grossly unfair and will find me in strongest criticism. The fact is I found myself reluctantly working against it.

It was not because of any letting down of the boys which caused me finally to vote against it. Rather, I preferred taking the approach now proposed by the Senator from Pennsylvania [Mr. CLARK] and I am delighted that I find myself now joining both the able Senator from Oregon and the able Senator from Pennsylvania in attempting to eliminate from this \$70.2 billion defense appropriation bill a sum which may cover desirable but surely not necessary items.

Mr. CLARK. Mr. President, the argument of the Senator from Oregon is so persuasive that I voted with him today, but I think he has possibly done an injustice to the Senator from Michigan, because the Senator from Michigan has never accepted the point of view which others have taken. I think he has taken an objective view toward the pending amendment. I know he felt bad when he felt he could not vote for the amendment of the Senator from Oregon.

III. RISING TIDE OF OPPOSITION TO WAR IN VIETNAM

Mr. President, I would like to turn now to the third point, "Rising Tide of Opposition to the War in Vietnam."

There is a rising tide of opposition across the country to the way the war in Vietnam is being conducted. I regret that that tide of opposition comes from two diametrically opposed philosophies of thinking.

There are those of us in this body who believe we ought to be making a more earnest effort to arrive at a negotiated settlement, who are not happy with the high casualties we are suffering in Vietnam, who do not approve of the bombing of North Vietnam, and who think that the search and destroy policies in the south are counterproductive, are not working, and are only mounting the toll of American boys being killed and wounded.

Unfortunately, there is another school of thought which many advocate in the Senate, which may be called a "Let's kill 'em." philosophy, a philosophy of let us get in there and get it over with, based on the emotional concept that the United States of America is the strongest military power in the world, and it is ridiculous that we cannot beat down to their knees, in the little country of Vietnam, the guerrillas there. Somehow they think the flag is demeaned and somehow the power and status of the American people is suffering because we do not go in there and get it over with.

Mr. President, it is not for me to attempt to controvert that argument at this point, but I think it is enough to say that there is a rising tide of opposition to the conduct of the war in Vietnam. This was evidenced in a poll which was taken. I think by the Associated Press, over the past weekend, which indicated that 44 Senators, I believe, were

content with the way the war in Vietnam is being conducted; 40 were disappointed; and the other 16—perhaps the wisest 16 of all—refused to tell the pollster what they thought, if anything.

However, Mr. President, I think there was a widespread feeling also that the respective responsibilities of the executive and the legislative branches of our Government are getting out of line—a feeling that the Executive is assuming too much power, both as Commander in Chief of our Armed Forces and under the Tonkin Bay resolution.

As a member of the Committee on Foreign Relations, I have become acutely aware of that controversy by reason of the testimony of Under Secretary of State Nicholas Katzenbach before our committee early this week. The chairman of our committee, the able Senator from Arkansas [Mr. Fulbright], is strongly of the view that the President is undertaking to exercise authority which is not in accordance with the Constitution.

I do not share that view, but I do think that the President has exercised authority without much reference to the legislative branch, which, if not unconstitutional, is at least unwise; and I believe that this clash of views between a group in the legislative branch and the Executive is not healthy for Congress or for the country.

What happens is that it throws those of us in Congress who disapprove of what is being done in Vietnam back on devices to thwart the President's will—devices which I believe are unsound—and to which we should not resort.

One of them is to cut the liver—and I use the word advisedly—out of the foreign aid bill. I was prepared to vote to cut the military aid, and I did, but I thought the committee went too far in terms of cutting badly needed economic aid for the underdeveloped countries of the world.

Another way we get back at the President is to cut the space program. Personally, I am not too unhappy about cutting the space program, but actually the motivation of most of us in cutting that program is to get back at the President, because of his point of view and his policies in connection with the war in Vietnam.

Mr. President, I do not think that any one of those three devices is a very good way to indicate our displeasure. The courageous and sound thing to do is to vote to cut this bill; and it is in an effort, which perhaps will be a vain effort, to persuade those Senators who do not like our policy in Vietnam, who do not want to see the war accelerated any further, who want to see the bombing of the North stopped, who want to see those additional 45,000 Americans boys kept home, if that is what they want to do, to have the courage to vote for this motion to recommit, because this is the honorable way to do it.

Those are strong words. I must say I myself have not always hitherto had the courage to follow that practice. I had great trepidation in voting for the amendment of the Senator from Oregon an hour or two ago. I almost did not propose this motion to recommit with instructions to cut, because I was afraid to.

Then I asked myself, "If you haven't got the guts to do this, what are you doing in the U.S. Senate?"

So I decided to take the step. I do not wish to beat my chest or pat myself on the back for doing something that perhaps not too many of my fellow Senators are prepared to do; but I do note that this body is full of a great many logical thinkers, some but not all of whom are lawyers. I suggest that if, after searching your soul, as you ought to be doing, you disapprove of the conduct of the war in Vietnam, you vote to cut this appropriation bill, and do not go off voting to cut taxes, to cut foreign aid further than you think it should be cut, or to cut the space program further than you think it

should be cut. Face up to the problem, and vote to cut this bill.

Mr. President, I turn now to my fourth point:

IV. SOUND SOUTHEAST ASIAN POLICY DOES NOT REQUIRE CONTINUED INTENSIFICATION OF THE VIETNAM WAR

Mr. LAUSCHE. Mr. President, before the Senator gets into that subject, will he yield for a question?

Mr. CLARK. Certainly.

Mr. LAUSCHE. I have deep respect for the sincerity of the Senator from Pennsylvania. In my opinion, he is attempting to give full expression to his honest thoughts about how best to serve his country. He will understand that there may be differences of opinion among Senators about how that service can best be achieved.

Mr. CLARK. I do, indeed.

Mr. LAUSCHE. There are those who complain about what is happening in Vietnam, but insist that we cannot pull out, and the only way it can come to an end is through the achievement of an honorable peace.

Mr. CLARK. I share that view myself.

Mr. LAUSCHE. If it is argued that we cannot pull out, what alternative course is there except to give the fullest support, by way of military equipment, to our men who are in South Vietnam?

Mr. CLARK. I think, of course, we should give full support and all necessary military equipment to protect their lives. I do not wish to digress, in this speech, by going into a long dissertation of what I think should be done in Vietnam. But the Senator from Ohio knows that for months, if not for years, I have been advocating a much more strenuous effort to get to the negotiating table, through stopping the bombing in the North through stating that in the South we would fire only if fired upon, and by persuading our little puppet, General Ky, to do the same. I have reasonable confidence that if we were to assume that primarily defensive attitude, we would get to the negotiating table within the foreseeable future, and the number of American casualties and the loss to the American Treasury would be very much reduced.

I do not expect the Senator from Ohio to agree with me, but that has been my consistent position.

Mr. LAUSCHE. Well, there are three courses that we can follow. One is to pull out.

Mr. CLARK. And nobody advocates that.

Mr. LAUSCHE. Nobody advocates that. The Senator from Pennsylvania and I agree that in the Committee on Foreign Relations, the most vehement opponents of what is happening still take the position that we cannot pull out.

Mr. CLARK. That is right.

Mr. LAUSCHE. The second course would be to cut the appropriations for the military, which in my opinion would be the equivalent of pulling out.

Mr. CLARK. I made the point, before the Senator came into the Chamber, that this is a \$70 billion military appropriation bill, of which, at the very most, \$30 billion was for the war in Vietnam, as was developed in a colloquy I had with the Senator from Mississippi.

That leaves \$40 billion of swollen appropriation having nothing whatever to do with the war in Vietnam. I am proposing that we cut that amount back by \$3.5 billion.

Mr. LAUSCHE. I can see how the Senator could come to that conclusion; but I believe the committee that reported the bill has positively and fully explored that situation.

Mr. CLARK. I would disagree with that, but the Senator is certainly entitled to his opinion.

Mr. LAUSCHE. Mr. President, I want our country to achieve peace. However, it must be on an honorable basis. We stopped the bombing five times, and once for 35 days.

Mr. CLARK. Once it was for 6 days, and I think that was all.

Mr. LAUSCHE. The Senator is incorrect. There were some smaller intervals.

I suggested about 2 months ago that we again test Ho Chi Minh by a stopping of the bombing. However, that has not been done.

I am not sure that I was right in suggesting that we stop the bombing again. However, on the subject of pulling out and failing to give adequate moneys to the men, I want to read a letter that was sent to a newspaper in Ohio.

It is with great distress that I read this letter. It reads:

"I always have had great respect and confidence in Senator Frank Lausche until he said, 'Quit bombing.'"

I did not have in mind the ultimate quitting of the bombing of North Vietnam. I recommended another lull in the bombing hoping that Ho Chi Minh would be brought to the negotiating table.

I continue to read the letter:

"Why does he say it and what does he expect the men from the U.S. to do? Sit back and be killed?"

"In my estimate they are already taking it too slowly. If all I read is true, many men have been killed because they weren't allowed to go ahead until further orders arrived. So I say don't quit now but double the effort to stop those Communists."

This is the most painful sentence in the letter:

"From the mother of five sons who have served in the Navy, Air Force and Army, and a granddaughter now in the Marines.—Mrs. W. J. Rose, Sr."

I conclude by saying that my fullest respect goes to you, Senator CLARK, on having sincerely and courageously expressed your views on trying to solve this problem that is so perplexing to our country.

Mr. CLARK. Mr. President, I thank my friend, the Senator from Ohio, very much for his kind words.

Mr. President, with respect to my fourth point, I wish to pay tribute to a very distinguished American diplomat, a former Ambassador to Japan, and presently a university professor at Harvard, for the assistance he has given me in the preparation of these remarks, in a splendid address he made on June 15 and the annual meeting of the Associated Harvard Alumni in Harvard Yard.

Ambassador Reischauer points out, and I agree, that the unitary threat of communism had faded to a large extent in Europe, but in Asia it probably never existed. Military aggression has not been a major threat in most of Asia. Chinese armies have crossed their own borders very rarely. They came out to meet us in North Korea, but only when we bore down on their frontiers with massive military strength, as we are now bearing down on their frontiers with massive Air Force strength. China administered a defeat to the Indians along their disputed border, but it made no effort to launch a real invasion of India. Today it has sent 40,000 engineers into North Vietnam, but this is only a tenth as many men as the actual fighting forces we have sent halfway across the world to South Vietnam.

The real threat to the countries of Asia is not aggression so much as internal instability. They are vulnerable to subversion and revolution. They have little defense against guerrilla warfare.

But these are the types of military threat against which our military power is relatively ineffective. When we try to build in Asia a solid defense wall like that of NATO in Europe, it tends to sink into the quagmire of weak economies and unstable political institutions. In guerrilla warfare, under such conditions, we can end up as we have in Vietnam, appearing like an elephant vainly attempting to combat gnats. I believe that analogy is very pertinent indeed, and I say so because it is former Ambassador Reischauer's and not mine.

For many Asians, the enemy has not been

Soviet military might or even the rising power of Communist China, so much as the former colonial or semicolonial domination of the West, and their own economic backwardness and political instability which these Southeast Asian countries attribute, not entirely without justification, to the colonial domination under which they have suffered for well over 100 years. It is Western countries such as ours that have raised their deepest fears.

Those Asians who have embraced Marxist concepts—and many have—regard the capitalism that we seem to champion as the chief threat of continuing foreign domination, and look to socialism, the economic system the Russians proclaim, as their main hope for progress.

We do not seem, either racially or culturally, like friendly overseas cousins, but rather as a new and bigger form of the sort of Western nation—namely, France, and to some extent Britain—that dominated them in the past. One should perhaps also add the Netherlands.

In bringing these false European analogies to Asia, as we are doing in our foreign policy—and the Secretary of State is perhaps the worst offender—we have attempted to implement a set of policies designed to give advanced nations military protection against Communist aggression which were valid in Europe, particularly at the time of the Marshall plan and the Truman doctrine.

We have applied these theories to a part of the world where less developed countries are struggling with the task of nation-building, where the problems of external defense are overshadowed by those of lethargic and primitive economies. The lethargy, to a substantial extent, in my opinion, is due to malnutrition and inadequate diet; for it is a fact that perhaps half of the people of the world, including most of those in Southeast Asia, are going to bed hungry tonight. And they are afflicted with antiquated social systems far removed from democracy, inadequate levels of knowledge and skills, and internal political instability. The object lesson of internal political instability is South Vietnam.

Our ponderous war machine all too easily breaks through the weak social and economic foundations of the very country it is meant to defend. Our unrealistic expectations of quick economic results lead to disillusionment and bitterness, both in Asia and back home in the United States. We find ourselves frittering away our great wealth and strength in destructive warfare, rather than bringing them to bear in constructive ways that would seem to be of more benefit to our own interests as well as those of Asians.

And so Ambassador Reischauer makes certain specific proposals which I endorse. First, he says, the immediate balance of power is not much involved in our relationship with Asia, because most of the countries of Asia have little or no weight to bring to a world balance of power—and this is particularly true in the light of the current domestic chaos inside Red China.

His second proposition is that defense against aggression is much less of a problem in Asia than are internal instability and sluggish economic growth. Two corollaries of the second proposition would be that we can do relatively little in a military way to help Asian countries cope with the problem of internal instability, and an overconcentration on the problems of defense would limit and in some cases negate our more important efforts to help in economic development.

As I shall argue in a few moments, this is exactly what has happened in South Vietnam, where our economic efforts are pretty nearly futile.

The third proposition is that we should be careful not to get ourselves involved in the hopeless task of trying to provide internal

stability through our own military strength. We should not waste our great resources primarily on costly defense establishments for Asian countries or destructive military activity, but should attempt to save our efforts—and our limited power, for we are not omnipotent—for the vastly more important tasks of construction and development at home as well as abroad.

Finally, we should not try to push ourselves into the role of dominators or leaders or even teachers of Asia, for we are not welcome in those roles. Instead, we should learn how to be of even more help to Asians as sympathetic friends and outside supporters of their own efforts to achieve their own objectives.

We have approached the problems that face Asia with little knowledge and less understanding. We should reexamine our entire Southeast Asian policy. I suggest one of the best ways to get the matter on the record is to indicate to the military, industrial, scientific, and reportorial sectors that the Senate has the will to cut back in a modest amount this enormous and swollen appropriation.

MR. MORSE. Mr. President, will the Senator yield?

MR. CLARK. I yield.

MR. MORSE. Mr. President, I wish to say to the Senator from Pennsylvania that I support his motion. I shall vote for his motion. I think it is a very sound motion. I think it is an unanswerable reply to a good many arguments we have heard on the floor of the Senate this afternoon by some Senators who do not want to vote for the type of cuts that have been offered them this afternoon.

The Senator's motion means we return the responsibility for cutting over to witnesses for the Department of Defense, who would have to come up and appear before the Committee on Appropriations again. I do not know how the motion of the Senator could be implemented without the Committee on Appropriations seeking the views of the Pentagon and they would have to testify where to make the \$3 billion cut.

If they know that is what they have to do, it would be surprising how quickly they could do it. It defies the understanding of anyone how, out of a \$70.2 billion budget they could not cut \$3.5 billion without having any effect whatever of a kind that would jeopardize the security of the Republic.

I am proud to stand with the Senator and I support his motion.

MR. CLARK. I thank the Senator.

V. STALEMATE IN VIETNAM

Mr. President, it is true, beyond peradventure of doubt, and despite the optimistic prognoses which have been coming from the military for the last 10 years, that we are in a condition of stalemate in Vietnam.

I am reminded of the old fable, which I believe is from Aesop, of the young man who came running into the assembly of his village crying "Wolf! Wolf! Wolf!" The people went out and looked for the wolf and there was no wolf. He did it again, and somewhat warily they went out and there was no wolf. The third time he cried "Wolf! Wolf!" they would not go, and that was the time the wolf came.

However, the difference between the presence of the United States in Vietnam and the fable is that the victory which the military have been predicting in South Vietnam—the military victory, the great, glorious military victory they have been predicting for 10 years—has not come yet, and I suspect it will never come; but they are going to keep crying "Military victory. We can settle for nothing else."

I say that we are in a stalemate, however disagreeable that phrase may be to those who are in authority in the Pentagon and elsewhere. Why do I say we are at a stalemate? I say that because, having started at

the time of the assassination of President Kennedy with something like 16,000 American military personnel in uniform in November 1963, we now approach November 1967, 4 years later, with 485,000 men, more or less, in uniform in Vietnam, and 45,000 more to come in the immediate future, and we are worse off now than we were then.

Meanwhile, over 15,000 American boys have been killed, over 75,000 have been wounded or injured, 850 of our airplanes have been lost in combat, 2,573 airplanes and helicopters have been lost from all causes since the American involvement in Vietnam. We were spending \$2 billion a month for this war, but my friend the Senator from Mississippi, now tells me that we are on our way to spending \$2.5 billion a month.

Our military leaders, while voicing optimistic views as to how the war is going one day, tell us the next day it will be a decade or more before we achieve that military victory.

I suggest that although we have killed, according to our own count, 200,000 Vietcong and North Vietnamese, the enemy force we are now facing is the largest that has been under arms since we began attempting to crush the guerrillas and bomb North Vietnam into submission in an effort to bring peace to that war-torn land.

We are told there are 270,000 of the enemy as opposed to our roughly 500,000 Americans, and several hundred thousand more South Vietnamese of various categories, whose fighting ability and will to fight are subject to some question.

Meanwhile, while the military capability of our South Vietnamese allies is shrinking by the day, and while this is becoming more and more an American war every day, the enemy is vastly improved in terms of ordnance, automatic weapons, heavy mortar, flame-throwing equipment, antiaircraft guns, SAM missiles, and Mig aircraft. All we have done has been to accelerate the enemy resistance as we escalated our military effort.

Let us remember that only a fraction of Ho Chi Minh's regular army has been committed to combat. It was reliably stated from American sources the other day that only one-fifth of the regular army of North Vietnam has crossed the demilitarized zone in order to assist their allies, the Vietcong. I wonder who is going to run out of manpower first: The enemy, or we Americans, who are hard pressed not to induct Reserves and the National Guard into Federal service and send them to South Vietnam? Or are we going to draft more and more American boys to maintain the manpower to fight teeming millions of Chinese?

Mr. President, we cannot fight that kind of war. There are too many Chinese. Actually, there may be too many North Vietnamese. We may well be coming to the bottom of the manpower pool long before our enemies. I do not care how patriotic any citizen or Senator may be, there is a limit beyond which even this Senate is not going to go in permitting the flower of the youth of America to be destroyed in the jungles and elephant grass of Vietnam.

Let us take a look at that other war, the war of so-called pacification.

It started with the strategic hamlet plan of Ngo Dinh Diem. That was a failure. There have been half a dozen other plans for pacification—as one phrase has it—of the South Vietnamese countryside, and in other terms perhaps more friendly, the effort to win the hearts and minds of the people of South Vietnam, an effort which has been a complete failure. No one can really deny that.

We go in bombing, dropping napalm, throwing mortar shells, using automatic weapons, and dragging out screaming natives under the allegation that they are Vietcong or Vietcong sympathizers. So how do we think we are going to win the hearts and minds of the people in that hamlet?

One may say, "How is the Vietcong going to win the hearts and minds of those people when their torture is probably a great deal more terrible than that of our South Vietnamese allies?"

The answer is, they are fellow citizens in that country. They have a racial and nationalistic affinity for each other; whereas we are the hated colonialists.

If we look candidly at the pacification program, we must come to the conclusion that we have been unable to pacify the country. Our South Vietnamese allies have also been unable to pacify the country. If there is one group of people that the average resident in a South Vietnamese hamlet hates more than American colonialists, it is the minions of General Ky.

Why?

Because the third generation of formerly French officers, who represent a majority of the leaders of the fascist junta which now rules South Vietnam, have never fought for their country. They fought for the French. I believe that there are only two officers of lieutenant colonel rank in the South Vietnamese Army today who fought with the Viet Minh and with Ho Chi Minh. If they fought at all, they fought for the Cao Dai and the French.

Under those circumstances, how can we expect these people to be happy about being pacified, how can we expect that they will turn their hearts and minds to what we call the American way of life and democracy in light of the basic facts which I have just recited?

I think it is pretty well accepted that if we left South Vietnam tomorrow, General Ky and his dictatorship would crumble within months, because it does not have the popular support of the people.

Toward the end of last week, I had occasion to comment on the coming South Vietnam elections and I made the point—and I make it again—that it is not necessarily the fact of possible fraud or intimidation or the ruling off the ballot of individuals who in all good conscience should be permitted to run for office, that makes it futile to hope for a reasonably free election, but rather it is the very nature and geography of the country.

I saw a most interesting table published in the New York Times about 10 days ago, under the byline of R. A. Apple, which he said contained information which was collected from official American sources, and which showed that of 17 million people in Vietnam, more or less, hardly more than 3,750,000 would be safe if they voted in the coming election. I am talking of the total population figure. I assume that perhaps half of them would be under 21. I really do not happen to know. But the only people who will vote in this election, as I see it, Mr. President, based on that table, will be the military, civil servants, the merchants and clerks in the cities, and refugees.

The table shows that of 12,000 hamlets in South Vietnam where over 13 million people live—the table is based on American sources of information—only 169 have a total population of 469,000 people who will be secure.

How are we going to open ballot boxes in hamlets when the Vietcong may come in and disrupt everything at the moment the polls open?

Of the 12,000 hamlets, according to the table, well over 3,000 hamlets are completely controlled by the Vietcong. The remainder shift back and forth—one day under our control, the next day under Vietcong control, sometimes at night—usually at night under Vietcong control; sometimes in the daylight, often in the daylight under our control.

Thus, I suggest that without regard to the charges of fraud, the elections on September the third in South Vietnam cannot possibly represent the real thinking of the peasants—the people of South Vietnam.

It appears that the U.S. goal in South Vietnam is a military victory. It is becoming increasingly clear that to achieve that victory will likely take a decade, will cost hundreds of thousands of casualties, will result in total devastation of the country, and may even, at that, be impossible to achieve.

In a guerilla war, Mr. President, artillery and aerial bombardment cannot do the job; technology is no substitute for the man on the ground. This is a foot soldiers' war. They will have more foot soldiers, in the long run, than we will have.

The most damaging fact, as I said earlier, is that the pacification effort has failed.

It was a high-ranking American officer who told Mr. Apple, in the article to which I referred in the New Times a while ago—and I can well understand why—that 8 million troops would be needed for the pacification of the country.

It has well been said by a prominent Vietnamese politician, who is on our side, that the problem is not the North Vietnamese army but the South Vietnamese Government.

Corruption is rife. Police state tactics are rampant. It is as much of a dictatorship as any military junta has been anywhere in the world. The South Vietnamese army is widely charged with incompetent leadership. Young officers who are the head—as I said, the third generation—of the South Vietnamese French hierarchy are too young, too fascist, too pro-American to make any appeal to the people of their country. The request for reinforcements coming from General Westmoreland and our military are a measure of our failure with the people of South Vietnam.

The people of South Vietnam do not support the Ky dictatorship. If the Ky dictatorship were fighting for freedom in Vietnam, land reform, education, sanitation, for all the things which every human being in this world has a right to ask for, it would have achieved the loyalty of the people. But it has not.

There is open revolt among the Buddhists. The army is dispirited and unwilling to fight under incompetent leadership.

So I say there is a stalemate in Vietnam, and 450,000 troops, or, in my opinion 450,000 more troops, will not break that stalemate. The enemy have the manpower reserves and the will to fight. While our boys, I am happy to say, have the will to fight, they are up against almost insuperable odds.

VI. WHAT ARE OUR NATIONAL PRIORITIES?

So I come to my final point, VI, which I would like to have headed, "What Are Our National Priorities?"

I suggest that the price we are paying for the Vietnamese war is high, far too high for us to pay. I say this for the following reasons:

First, the thought, energies, and spirit of the leaders of our Government are so absorbed with Vietnam that they have little time for anything else. I think this is apparent almost every day in terms of the President, the Cabinet, and the Pentagon.

Second, until the shooting stops in Vietnam, there is little chance that we can make meaningful progress in establishing that detente with the Soviet Union which is so essential to peace and to the well being of the peoples of both countries.

Third, all efforts to bring Communist China into the company of civilized nations at the United Nations and elsewhere are bogged down by the war in Vietnam.

Fourth, forward movement toward improving the structure of the United Nations and its ability to establish and maintain the peace of the world has practically come to a halt because of the war and the international animosities it has aroused.

Fifth, the traditional tug-of-war between the Executive and the Congress has been exacerbated.

Sixth, the public image of the United States has been changed from a benevolent

Uncle Sam seeking to do more than his share in curing the ills of the world to a power-hungry imperialist bent on establishing by force of arms a Pax Americana.

Seventh, the efforts to balance our international payments and to protect our gold supply have been crippled, if not killed.

Eighth, the casualties are unsupportable. The figures I have given do not include those afflicted with malaria, dysentery, hepatitis, bubonic plague, and other jungle diseases, which may last for life. The carnage continues and mounts in intensity each month.

Ninth, but perhaps the highest price of all, is the brutalization of human nature and the turning aside of our aspirations for man caused by the war. Primitive instincts for combat have been revived by the daily statistics of the number of Vietcong and North Vietnamese troops killed in the last 24 hours. Watching the war on TV has become a popular spectator sport. Seeing young men killed and old women burned is commonplace in the living rooms of millions of Americans. Clamor in the country for "getting it over with quickly through the unrelenting use of military power, including nuclear weapons," rises daily. The military-industrial-congressional-scientific-reportorial complex rides high. Advocates of arms-control and disarmament have taken to the fall-out shelters.

In such an atmosphere, one must attest to the validity of Alexander Pope's phrase, "The greatest enemy of mankind is man."

We still have a chance to make out of America a modern Athens. I fear we are on our way to making it a modern Sparta.

I yield the floor.

Mr. CLARK. Mr. President, the thrust of my argument then and the thrust of my argument now is that if we are willing to postpone certain expenditures and cut out the fat in the space program and in the Defense Department budget, and in other areas, we can, if we also extend the excise tax, strengthen our monetary and fiscal position and shore up the status of our dollar. The result will be to keep our gold supply secure until such time as international monetary authorities can progress further in their plans to eliminate gold and the gold exchange standard as the principal backing for international monetary transactions.

I will not undertake at length to point out at this time the various areas where these cuts can usefully be made. I would rather devote myself to the philosophical concept behind the pending amendment and, taking the categories one by one as they are set forth in the proposed amendment, I would suggest that foreign military assistance on the whole does us more harm than good. It was really foreign military assistance which got us embroiled in Vietnam. It is foreign military assistance which is encouraging a whole host of countries to adopt attitudes of belligerence toward their neighbors and render the likelihood of more brush fire wars breaking out.

The Senate last year did make a significant cut in foreign military assistance programs.

The PRESIDING OFFICER. The Senator will suspend until we have order in the Senate Chamber.

The Senator may proceed.

Mr. CLARK. In my judgment, I believe there is substantial room for further cuts without affecting in any way our national security. Latin America is one area in which I believe quite signifi-

cant cuts in foreign military assistance could well be made.

As one example of what I have in mind, I understand that today there is a high level meeting at the State Department to determine whether to resume military assistance to the Greek dictatorship. I would hope very much that the decision would be in the negative. But since I appreciate that there are many protagonists of the Greek dictatorship in the State Department, I would be fearful that foreign military assistance would be resumed to shore up that regime, which is anathema to an overwhelming majority of the people of Greece.

If we have to make cuts in order to deal with our very serious monetary and fiscal crisis, I believe that foreign military assistance is one area in which we could well make them.

The second category has to do with the space program. I share the pride of all Americans in having the United States the preeminent country in the development of manned adventure into space, to the moon and other planets, and the various other categories of the space effort. But we are dealing with the critical matter of determining our national priorities.

I see in the Chamber the Senator who has been the most outstanding Member of the Senate in calling to our attention the increasingly critical nature of our fiscal and monetary problems. I refer to the able Senator from Missouri [Mr. SYMINGTON]. I know that it would be very important to follow the advice of Senator SYMINGTON and others and to put our fiscal house in order.

Therefore, we are faced with a choice of priorities. It is the job of Congress to determine what those priorities should be. To my way of thinking, the clear priority is to advance our domestic programs and to protect our fiscal and monetary integrity.

Adventures into space which are costing billions of dollars—yielding, of course, useful information; but, in the end, adventures into space which could well be postponed—are clearly of a lesser priority.

Finally, Mr. President, I have worded very carefully the third category, which deals with expenditures of the Department of Defense. In order that Senators may understand how carefully this has been drawn to protect the national security, I read again that the cuts should be made in the Department of Defense "to the extent that such reservations will in no way endanger the security of the United States or the safety of U.S. troops."

Senators may inquire as to how we can cut the defense budget at all and still comply with the careful wording of the reservation. I would say that the answer is very clear, indeed. It is set forth in detail in the speech I delivered on August 22, which I have just asked to have printed in the RECORD. I do not wish to take my limited time to go into it in greater detail, other than to say that we have almost an \$80 billion defense budget. From that amount, we are spending \$30 billion in Vietnam. That leaves \$50 billion for other defense expendi-

tures—defense installations scattered all over the United States, troops all over Europe, the fleet in the Mediterranean, 3.4 million men under arms in the Army, the Air Force, the Navy, and the Marine Corps. Surely, in this area, notorious for waste and for extravagance, the cuts necessary to put our budget in order and to preserve our domestic programs can easily be made.

As one example, if we were to take a cut of 20 percent of the number of men under arms today and not take one man out of Vietnam, we could save several billions of dollars, which would make it possible to bring our fiscal affairs into better balance.

In the speech to which I have referred, I gave a number of other examples. I will not take the time to go into them in detail now, because few Senators are on the floor. But there is this to be said in connection with the antiballistic missile: It is one of the areas in which I am certain we could make a cut. There is new obligatory authority in the fiscal 1969 budget of \$1.141 billion. This includes costs for procurement, research and development, construction, and deployment. The bulk of the expenditures is for the so-called anti-Chinese Sentinel missile. These amounts also include the R. & D. on the Nike X. This does not include the \$100 million for research on future antiballistic missile systems.

Mr. President, there is hardly a scientist in the world, there is hardly a military expert in the world, who does not agree that the antiballistic missile system is no good, that it will not do the job. It is admitted that it will not protect us against the Russians. My view is that this entire expenditure is for the benefit of the military-industrial complex against which General Eisenhower warned us so strongly when he left the White House. It is an example of folly and waste combined.

There is another area I did not include in my amendment because I was assured by the able Senator from Washington [Mr. MAGNUSON], the chairman of the Committee on Commerce, that there was no present intention to spend any money in fiscal 1969 for the so-called supersonic transport, another low-priority item, which in my opinion, will do no more than break all our windows and shatter all our eardrums.

However, an item of \$223 million is in the fiscal 1969 budget for the further development of the supersonic transport, and I am happy to learn from Senator MAGNUSON that the Bureau of the Budget and the President have already decided not to spend that money. At least, that is one area in which cuts could be made which would make unnecessary the cuts in the domestic programs to which the Javits amendment is directed.

I strongly support the Javits amendment, and I hope that he, in due course, will see the wisdom in supporting my amendment.

I reserve the remainder of my time.

Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 16 minutes remaining.

Mr. CLARK. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. Who yields time? Time is running.

Mr. SMATHERS. Mr. President, I am happy to yield to the Senator from New York such time as he may desire.

Mr. CLARK. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. Against whose time is the Senator yielding 5 minutes?

Mr. SMATHERS. It is being yielded on my time.

The PRESIDING OFFICER. The time is charged against the opposition.

Mr. JAVITS. Mr. President, nothing in the world would please me better than to be able to vote "yea" on Senator CLARK's amendment to my amendment. I hope he will understand and forgive me when I say I cannot do so, in fairness to the proposal I have submitted to the Senate. I hope he will not be so put out with me that he will decide not to support my amendment if his amendment does not carry, as I can promise him that I will continue to urge mine if it does.

Briefly, my problem is this: As we calculate the amendment offered by Senator CLARK, it would limit the area to which the \$6 billion of cuts to be made by the President is required to apply from \$87.3 billion—which we have as the area of application under my original amendment—to \$58 billion. The difference of \$29 billion, while I deeply appreciate the desire of the Senator from Pennsylvania, makes a great difference to me, because it very materially therefore increases the amount of cuts which will have to be made against the three items to which the Senator has limited the cuts.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CLARK. I am sure the Senator does not desire to misrepresent my amendment. I call to his attention that the statement he just made is not correct, because the amendment reads, "Insofar as may be practicable, the reservations shall be made" from the following authorizations. This does not limit the cuts to those three at all.

Mr. JAVITS. It is an elementary principle of law that where you specify categories, they take precedence over the generalization.

Mr. President, I must assume, because I am left no other assumption on which to proceed, that the cuts will be made to these items and that they will not be made to the list of 23 items which the Senator from New Hampshire read and to which I referred in my argument, which are susceptible to cuts on the part of the President when he applies the \$6 billion cut.

After all, the purpose of the Senator's amendment to my amendment must be to limit somewhere the \$87.3 billion, the area in which cuts can be made; and it is because I do not feel such limitation is desirable that I take the attitude I do.

The approach of the Senator from Pennsylvania is entirely different than

my approach because he would provide the cuts must be made from certain things. I provide that certain things appropriated by Congress shall not be cut. My approach is a totally different approach and it is 100 percent the other way.

I believe that the appeal of my amendment is heavily based upon the action the Senate took last night to free the hands of the President rather than to tie them.

It will be recalled that last night we eliminated the moratorium on public works. That action did not mean—and several Senators have asked me to explain it and I have—that public works cannot be cut because they can be. They are available for cuts within the \$87 billion I described. We said they cannot be treated specially; they have to be treated like everything else and they are subject to cuts.

I am trying to reserve certain critical items which affect the cities primarily, although as the Senator has pointed out, there are definite rural implications. However, primarily they deal with the problem in the cities with respect to tranquility and public order. Therefore, the area in which cuts can be made remains very wide and it includes the entire defense program and many other things not included in the three specifics the Senator mentioned.

I wish to give one or two examples, drawing on this very splendid list made by Members of the other body. They include, for example, \$100 million for various expenditures for public information; they include a freeze on government civilian employment involving \$961 million. That would go across the board. They include the National Science Foundation, as much as I value it. However, in that item there is \$250 million involved. There is also involved the supersonic transport, \$222 million; highway beautification for \$85 million. I approve of all of these programs, but we have to make a choice somewhere on priorities.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The time of the Senator has expired.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The PRESIDING OFFICER. The Senator from New York is recognized for 1 minute.

Mr. JAVITS. Mr. President, the priorities I am seeking are the negative priorities of not cutting things we appropriate, but I do not want to be a party to zeroing the President in on only certain items. That is the thrust of the Senator's amendment.

I cannot tell the Senator how much I appreciate his help and espousal of my amendment. I would be ungrateful if I did not say what I am saying. I wish I could go along and accept the Senator's amendment. However, inasmuch as it narrows the field for cutting by about \$30 billion, about 40 percent of the field I leave in my amendment, I feel it would prejudice my amendment if I went along with his amendment.

For those reasons, I most regrettably would have to vote against the Senator's amendment.

Mr. CLARK. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 2 minutes.

Mr. CLARK. Mr. President, I thank the Senator from New York for his kind remarks. However, I am sure he inadvertently very badly misrepresented my amendment. It is perfectly clear.

What I have in mind and what I think the amendment would do would be to indicate areas of priorities in which cuts should be made. There is nothing in the amendment to require cuts to be made only in these areas and the words "so far as practical" in the amendment make this abundantly clear.

It is my strong belief, and I am sure the Senator from New York will agree—although he may not want to say so—that the swollen military budget, the space program, and foreign military aid are areas which should take a much lower priority than domestic programs, which are not only city programs, but also are rural programs as well.

I hope that when we come to vote on my amendment it will be understood that this is intended to indicate priorities where I believe cuts must be made in the foreseeable future.

The people of the United States are not going to permit very much longer having a swollen military budget of \$80 billion, the space programs and the foreign military aid program, taking priority over the poverty program and the education program when we have such enormous need for domestic programs at home.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. Mr. President, is there any more time remaining on the Javits amendment?

Mr. SMATHERS. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 21 minutes remaining.

Mr. SMATHERS. How much time does the Senator desire?

Mr. LAUSCHE. Mr. President, will the Senator yield to me for 5 minutes?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. Mr. President, earlier this morning I made inquiry of the Senator from New York as to the source of the figures contained in his memorandum covering the various items of expenditures that would be protected by his amendment. His answer was that they were taken from the budget.

I then further inquired whether the budgetary figures of 1969 were in excess, equal to, or below the actual appropriations for 1968. The Senator could not immediately answer that question, but he had me consult with his assistant for the purpose of ascertaining the facts.

We checked to determine the situation with respect to the major expenditures that would be protected by the Javits amendment. One major item is expansion and improvement of vocational education. The budget for 1969 is \$246,300,000, or \$13,700,000 less than the appropriation for 1968. I now turn to urban renewal programs. The 1969 budget is

for \$699 million, or \$200 million more than the 1968 appropriation. Low-rent public housing, administrative expenses, the budget of 1969 is for \$335 million plus, or \$55 million in excess of the 1968 appropriation.

In connection with model-cities programs, the budget of 1969 is for \$250 million, which is \$225 million more than the 1968 appropriation. On the item of water- and air-pollution prevention, the 1969 budget is for \$278 million or \$61 million more than the appropriation for 1968. Air pollution in the budget is for \$80 million for 1969, which is \$27 million more than the appropriation for 1968.

I now come down to aid to the District of Columbia. The Federal payment for aid to the District of Columbia is \$83.5 million, \$10 million more than the 1968 appropriation.

Loans to the District of Columbia for capital outlay, \$67.2 million, which is \$51 million more than the 1968 authorization or appropriation.

There is one other large item and that is for manpower, development, and training activities. The 1969 budget is \$430 million. In other words, \$143 million more than the 1968 appropriation.

The total of all these figures shows in record numbers that the budgetary recommendations of 1969 are \$823 million more than the appropriations for fiscal year 1968.

I point out, Mr. President, that if we are to tackle the subject of the challenge to the credibility and stability of the dollar, we must do it at an early date. We cannot wait. If we do, we will find ourselves, in all probability, in a position from which we cannot extricate ourselves, leading to destruction of the value of annuities, pensions, and savings accounts gathered by people to take care of themselves in their old age, in the value of Government bonds, and in practically every other intangible asset except the tangibles which people possess. It would seem to me that we should at least stay with the figure of the 1968 appropriations and not the 1969 budgetary recommendations.

Mr. President, I may have something to say on this subject at a later time.

I yield the floor.

Mr. SMATHERS. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, I would hope that the Senate will vote against the so-called Clark amendment.

It states:

(c) Insofar as may be practicable, the reservations from expenditure provided for in subsection (b) shall be made from authorizations for:

- (1) foreign military;
- (2) the space program; and
- (3) the Department of Defense, to the extent that such reservations will in no way endanger the security of the United States or the safety of United States troops.

Mr. President, that item number 3, on line 6 of the amendment, which concerns expenditures by the Department of Defense, does not say who will have to decide what endangers the security of the

United States or the safety of U.S. troops. Obviously, we would expect people in the military departments to state that everything they are now doing is necessary for the national security of the United States or the safety of U.S. troops. So the result might well be, under this particular language, that we could not affect any cuts in the Department of Defense. It would mean that the balance of the cuts would have to come from foreign military and the space program.

If we were to affect the entire cut which has been proposed against the foreign military and the space program I think we would have to eliminate both programs, for all practical purposes. I do not believe that we want to eliminate both programs.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 minutes.

Mr. SMATHERS. Mr. President, there are some justifiable criticisms which can be made to the foreign military program, I am certain. With respect to military assistance programs, even in the case of dictatorships, it has been my observation that not all such assistance programs have been bad. In some of the underdeveloped countries of the world, the people do not have sufficient experience to run the kind of democracy that we have here in the United States. Hopefully, we think, such governments are tending toward eventual democratic processes.

Of course much of this program also goes to countries which are not dictatorships. In this particular program, we give aid to Turkey to help it to resist outside pressures, since it is on the periphery of the Communist world. We also give aid to Greece for the same reason. Now Greece is a military dictatorship. We do not particularly like that fact and are trying to bring pressure to bear, as well as we can, to keep it moving toward democracy. If we withdrew our assistance from either country, however, we would throw those countries into the Communist orbit almost immediately. The same thing would be true of Thailand, and some 15 to 20 other countries on the borders of Communist-controlled countries. We do not want that to happen.

I also do not think it would be wise to eliminate the space program. I am sure the Appropriations Committee will find some areas that could be cut out of the space program, but I do not think we should stop the space program altogether. It would seem to me that the best idea would be to try to bring about balanced, generally distributed cuts in the budget in order to protect the dollar both here and abroad.

The PRESIDING OFFICER. The time of the Senator from Florida has expired.

Mr. SMATHERS. Mr. President, I yield myself 2 additional minutes.

The PRESIDING OFFICER. The Senator from Florida is recognized for 2 additional minutes.

Mr. SMATHERS. Put an expenditure ceiling over the Appropriations Commit-

tee and then let it exercise its best judgment as to where it will make the necessary cuts. It seems to me, this would be the proper way to do it.

Mr. CLARK. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized.

Mr. CLARK. Mr. President, with all due deference to my able and charming friend, I differ significantly with his interpretation of the third part of my amendment which deals with cuts to be made in the Department of Defense.

I would not expect the generals and admirals at the Pentagon to say that any part of that huge expenditure of almost \$80 billion for defense was not necessary to protect the security of the United States or the safety of U.S. troops. But I would point out that, thank God, we still have civilian control over the military. We have an able, new Secretary of Defense in Clark Clifford. I hope that he will be as tough with his generals and admirals as Secretary McNamara was. Above it all we have the civilian President of the United States. And that is where I would expect cuts to be made—by the Secretary of Defense and the President; that they would agree that the highest priority is first to protect the dollar and second to protect the domestic programs which President Johnson played so large a part in getting started.

The interests of the military industrial complex which profits from the swollen defense appropriation certainly come last.

Mr. President, I ask unanimous consent to have printed in the RECORD an article which was published in the Washington Post this morning, entitled "Pentagon Uses \$2.5 Million in Bird Study," written by Thomas O' Toole.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PENTAGON USES \$2.5 MILLION IN BIRD STUDY
(By Thomas O'Toole)

Why has the Pentagon spent \$2.5 million on something called the Pacific Bird Project?

One answer the Pentagon gives bird watchers is that it wants to find out whether birds carry the Asian flu to the United States. The answer given by the Smithsonian Institution, which runs the program for the Pentagon, is that the Pentagon is honestly interested in knowing the migratory patterns of birds as they wander about the Pacific.

There is a third version. It is unofficial, and goes like this:

The Pentagon, so it is said, would like to move germ warfare testing to an island in the Pacific—but what island? Not only would it have to be remote and uninhabited, it would also have to be barren enough that birds would not want to use it as one of their regular homesteads.

The way the Pentagon has chosen to find this island, goes this unofficial version, is through a vast and meticulous study of Pacific bird migrations.

Ostensibly, this is all that the Pacific Bird Project has been for the past six years. In that time, Smithsonian ornithologists have visited hundreds of islands, banded more than 2 million birds and written more than 40 reports on the migrations of the numerous bird species that flock one end of the Pacific to the other.

But there's more to the Pacific Bird Project than meets the eye.

For one, it's financed and directed by the U.S. Army Biological Center in Fort Detrick, Md., and a telephone call to the officer-in-charge of the project suggested it might be more than a bird study.

"I can't talk about that project," he said. "It's classified."

About all the Pentagon would say is that it is interested in finding out what diseases Pacific birds might pickup in their migrations and what kinds of ticks and mites (notorious disease carriers) they might pick up as they wander from island to island.

Indeed, the Pentagon said, this is the reason the project is directed by Fort Detrick, which as everybody knows, is vitally interested in diseases passed on by birds.

All of this tends to confirm the unofficial version that the Pentagon would like to set up germ warfare testing in the Pacific. The reason is that birds could carry a disease brought on by "fallout" from a germ warfare test from one island to another, so naturally the Pentagon wants to know how the birds might carry disease.

The only thing the Pentagon will say is that the idea of setting up germ warfare operations to the Pacific was considered in the past, but that the cost of moving it from the Dugway Proving Ground in Utah has always far outweighed the benefits of an isolated Pacific test site.

But now—with the possibility that nerve gas (a form of germ warfare) caused the deaths of 6400 sheep near the Dugway site—expense may no longer be a dominant factor. At the same time, goes the unofficial version, germ warfare may be reaching the stage where testing must be moved outside the country.

"It could be," said one source, "that open-air testing is now necessary, to find out if some of these things work under field conditions and long exposure to sunlight. If that's the case, then the Army has to test them in the Pacific."

Mr. CLARK. If Senators will read the article, they will find that \$2.5 million is being spent by the Pentagon to band birds for the purpose, alleged by some, of seeing whether they can find some island where they can conduct further research and development on germ warfare. To me, this is not only a ridiculous expenditure, it is also immoral and unethical.

I reserve the rest of my time.

Mr. SMATHERS. Mr. President, I yield 5 minutes to the Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Mr. President, I rise in support of the amendment offered by the distinguished Senator from New York [Mr. JAVITS]. As Senators know, I had the rather unpleasant duty recently of serving as a member of the President's National Advisory Commission on Civil Disorders. The 10 other members on that Commission are, I think, among the most dedicated and most patriotic men with whom it has ever been my honor to be associated.

We spent 8 months with some 48 full days of meetings of that Commission, together with personal visits to the various major cities of America, looking at what we came to see as a very alarming and depressing picture of our country presently, a very alarming and depressing picture of what the future may hold in this country if we do not now commence to take some steps which are long overdue.

It gave us no particular joy, as I have said before, to make that kind of report; but the President had said to us, when

he appointed us, "As best you can, find the truth and express it in your report." That was exactly what we tried to do.

Strong and eloquent agreement with the findings of the President's National Advisory Commission on Civil Disorders has been expressed not only by the editors of newspapers in our largest cities, but also by editors in smaller cities and towns. I think it is all the more impressive in view of the fact that many smaller cities and towns have never experienced the level or intensity of deprivation and discrimination which underlie disorders in our larger urban areas.

My point is stated explicitly in a column by Brooks Bicknell, in the Review-Courier of Alva, Okla., on March 8, 1968, which argued that—

Riots in our cities are more than the concern of the officials and residents in the metropolitan areas "struck" by lawlessness, rioting and civil disobedience. It is quite natural for citizens in smaller communities not "shot through" with racial uprisings; ghettos; damage to property, arson and mayhem . . . and sometimes death to contend they have no "stake" . . . but no hamlet or big town of residents can escape a portion of the responsibility.

I ask unanimous consent that the complete editorial may be printed at this point in my remarks, together with a similar editorial that appeared in the Elk City, Okla., Daily News, of March 4, 1968, and an editorial which appeared in the Tulsa World on March 2, 1968.

There being no objection, the article and editorials were ordered to be printed in the RECORD, as follows:

[From the Alva (Okla.) Review-Courier, Mar. 3, 1968]

OFF THE CUFF

(By Brooks Bicknell)

Riots in our cities are more than the concern of the officials and residents in the metropolitan areas "struck" by lawlessness rioting and civil disobedience. It is quite natural for citizens in smaller communities not "shot through" with racial uprisings; ghettos; damage to property, arson and mayhem . . . and sometimes death to contend they have no "stake" . . . but no hamlet or big town of residents can escape a portion of the responsibility.

The President's National Advisory Commission on Civil Disorders has produced a far-reaching report along with predictions of possibly more of the same in the forthcoming "long hot summer." Hailed with expert esteem the commission's report has hit the front pages with a solidarity, in most areas, of support.

Oklahoma's own junior U.S. Sen. Fred R. Harris, a most active member of the civil disorders commission, has been forthright in his reflection of the report. He has withstood powerful questioning in interviews and, I am most happy to note, come through with flying colors on a nationally recognized scale. Senator Harris has stood "Ten Feet Tall" in this effort and to him I extend my congratulations.

It won't be easy and it won't be cheap . . . It can't be corrected overnight, this serious situation involving humans, but movement in the right direction and soon as possible would be a show of good faith to eventually solve the problems.

We are not going to eliminate the poor. We have always had poor people and always will. We're not going to completely eradicate sub-standard living conditions because we will always have those kind of persons who wouldn't take care of, or keep respectable, property no matter if they were "given" out-

right, modern homes with some of today's conveniences. But the "picture" is out of balance. Improvements can be made.

The Commission has used a term "white racism" as one of the major causes of the unrest that in the past few years, developed near anarchy in certain areas among certain people. I'm not going to disagree with the term. I'm confident we, in this nation, have "white racism" and, most likely, too much of it in most sectors. And yet, I'm not going to place all the blame for the sorry conditions at that one "doorstep."

Opportunity for improvement by an individual is present in a majority of cases. We realize that this is not universal. I do believe that bigotry has no place in the American way of life . . . I disagree with anyone or movement that "puts down" a human being because of his color, creed, or national origin. I also, insist that legislation is not the whole answer.

Respect! That's the key word. Persons who decline to have respect for themselves certainly shouldn't expect to gain respect simply because of law. The Negro who has worked, developed himself through availabilities will gain self-respect and can expect then, and should receive respect from his fellowman in return and color has no place in the consideration. Not a few white men and women have been as degraded as many Negroes because of refusal to seek out and work for achievement to gain such respect.

We have never been convinced that a government can legislate morals nor can it pass laws making anyone my friend.

The causes of the riots and disturbances are so many, it wouldn't be possible to reiterate all that have been suggested. I am dubious about many causes put forth from different areas and by different individuals. We do know we have the problems. We do know that these problems are generated by some cause or causes. We can't ferret each and everyone quickly. We can face them as they arise and then go to work to correct the situations in an effort to solve them.

Rights and privileges are, of course, paramount among causes. Poverty must be regarded as a major cause. Jobs, good employment under good conditions play a major part . . . But, human beings play the "starving" roles, both as employer and employee. The employer wants production. The employee must be willing to work, learn and elevate himself in a chosen field. These factors are the basic foundation for conditions and solutions.

And all this must be prefaced with a dedication to respect and observe law and order first, or the efforts will be lost in the whirlwind of refusal to understand and seek improvements.

[From the Elk City (Okla.) Daily News, Mar. 4, 1968]

PEOPLE FACE DECISION

President Johnson's Advisory Commission on Civil Disorders reported this past weekend a document which underscores the need for considerable progress in making equality of opportunity a "real thing" in America today.

The commission and its subsequent report is the outgrowth of the unfortunate civil disorders which occurred in several metropolitan areas this past summer.

Perhaps the one most truthful point in the entire document is that which says that the most effective instrument in bringing opportunity about is the interest of concerned citizens at the local level.

Generally, the document reports that all is not right in America but things are showing slow improvement.

Senator Fred Harris, D-Okla., commented following the issuance of the report by the committee on which he served that the American people are not aware of the danger of polarization of the races.

By this the senator is saying that the commission members were fearful that the Amer-

ican people were tending to line up on two sides the whites vs. the blacks and vice versa.

If this is taken to an extreme, it will be an unfortunate day for this nation and its people.

While considerably, the white must have been at fault in the Negro plight, it is not enough to say this without saying that the Negro must share in this responsibility.

Further, while the government can encourage by its support of integration and cooperation between races, the real test of opportunity will have to come from decisions by individual human beings in the hundreds of thousands and even millions.

These decisions will be from somewhat different perspectives. It is true that the whites will have to recognize the Negro as an equal human being from an opportunity point of view in more ways than just a mere statement of the same.

Negroes very obviously will have to get off their inferiority and persecution complexes from a racial basis of consideration.

Whites cannot give Negroes respect. They will have to earn it by the fruits of their labors, and such has never been easy in the past nor will it be in the future.

Likewise, whites cannot give real respect to whites who have not the desire nor the will to make a contribution to civilization and mankind in some productive form.

Where there are problems and they do exist in varying degrees in virtually every city in America, it is up to the people in those towns and cities to face the reality of the need for Americans to work and build together.

The belligerents in both races do the causes of justice, progress and harmony a considerable disservice. And it should be remembered by all of those who care to dwell on the problems of America in this area that those who cause the most trouble and are the most difficult with which to reason are a small minority.

"Polarization" as Senator Harris put it will not occur if the majority of Americans of all races face the facts and realize that solutions rest in any broad sense in decisions involving understanding by individual human beings.

[From the Tulsa (Okla.) World, Mar. 2, 1968]

TWO-WAY RIOT REMEDIES

The full report—250,000 words—of the President's anti-riot commission is still to come, but the 12,000-word summary already released is enough to show what a vast, long-range problem the nation faces.

Every thinking person ought to read at least a brief of the summary, because this is the most comprehensive study yet made of our No. 1 domestic problem. Prevention of riots and street disturbances is infinitely important because that problem envelops most of our others to some degree—poverty, unemployment, under-education, public health and urban blight, to name a few.

To start clearing such a jungle is to tackle almost every known frailty and illness of our society. This is not to say the job cannot or should not be undertaken because it is too tough, but simply that no one should expect all the accumulated wrongs and ills of our age to be dissipated overnight.

Even the entire Federal Treasury cannot do that—and it is hardly an exaggeration to speak of Fort Knox in connection with this report. No one has any idea how much it would cost to put all its vast and varied recommendations into effect.

This is one thing the anti-riot students do not tell us. They see the problem with great clarity and wisdom. They understand the corrections that are needed in order to form a more perfect world—and certainly they sense an urgency that more of us should grasp. The problem is not going away.

But the members of the commission do not allow themselves to look beyond or outside

the anti-riot problem. Perhaps they feel they cannot or should not because that is not their job.

But the rest of us have to take this wider viewpoint. We have to see the problems of the cities and the minorities in the light of a war-burdened economy already stretched thin. We have to search the report for places where beginnings can be made, for we know the entire overhaul of our society is not possible overnight.

The potential rioters also must be made to see this. If society has an obligation to them, have they none in return? They must see that if new efforts are made to improve education, housing, employment and race relations—as they already are and must continue to be—then rioting, looting, arson and shooting must stop. Anything less will hamper progress on what is essentially a two-way street.

We cannot be satisfied with a do-nothing approach to the tremendous problem outlined by the President's commission. Nor can we be satisfied with lip service or token measures. We must in fact begin to correct below-par schooling, lack of job training, miserable housing and a double standard of justice among minority groups.

At the same time, let's not kid anybody. All inequalities and injustices cannot be wiped out overnight. The perfect society doesn't exist and will be a while in coming. And it will come faster if it is not set back by new riots that destroy far more than they build.

Mr. HARRIS. Mr. President, after wrestling with these problems for 8 months, we on the Commission said quite plainly, and I think quite truthfully, that "there can be no higher priority and no higher call on the American conscience" than the problems with which we were dealing. Therefore, in pursuance of what I know to be the truth, having served in that capacity, I support the amendment now offered by the distinguished Senator from New York [Mr. JAVITS].

I regret that I cannot in this instance support my distinguished friend from Pennsylvania [Mr. CLARK] in listing certain areas where the cuts and expenditures ought to come from. I believe that the better approach, as has already been stated in the Williams-Smathers substitute before us, is to point out those places where they should not come from.

I think it is eminently right that the Senate should adopt the Javits amendment. I do not think that at a time such as this, when our country faces the greatest domestic crisis it has seen at least since the days of the Civil War, we can justify a cutting back of educational funds, funds for the Teachers Corps, which are pitifully small even in the budget, funds for vocational education, funds for educational improvement for the handicapped, and for all the measures that are mentioned in the Javits amendment having to do with housing which, in most of the urban ghettos of America, as well as in rural poverty areas, is tragically deteriorated.

I point out, Mr. President, that the Javits amendment applies to rural as well as urban areas.

I do not think any Member of the Senate feels it would be proper and justified, at this critical time in American history, to cut back on funds allowed in the President's budget for law-enforcement assistance or for the control of crime. Surely we would not feel it would be ap-

propriate to cut back on manpower development and training activities, when the best ticket, the most socially acceptable, the one which allows a man best to retain his self-respect—the best ticket to the outside world from urban ghettos or from depressed rural areas is a job. I do not see how we can cut back on items in the President's budget for OEO.

Therefore, I plead with the Senate to adopt the Javits amendment, which I hope will be adopted without the Clark amendment. I think the future of the country requires it.

I feel quite strongly that we must exercise fiscal responsibility. We must get our fiscal house in order. As I have said before, that will require both a tax increase and a delay or deferral or cut in nonessential expenditures simultaneously. But I think, as the Commission on Civil Disorders made clear, there is no higher priority or call on the American conscience than the items represented in the Javits amendment.

Mr. CLARK. Mr. President, will the Senator yield, on my time, for an observation?

Mr. HARRIS. Yes.

Mr. CLARK. I agree with everything the Senator has said about the Javits amendment. I am grateful to him for helping me on this side of the aisle to support it. I regret the Senator does not feel able to support my amendment, which may be a little ahead of its time, although I hope not. But the Senator is a wise Member of this body and he knows we have to protect the integrity of the dollar. We have to assure that our monetary situation is sound. We have to keep our domestic programs going. We cannot cut them, as will be able to be done, unless the Javits amendment prevails. But then we are faced with the situation of where we are going to cut. We ought to be brave about it and say there are only a few places where we can cut.

I am sure the Senator will agree with me in his heart that we cannot indefinitely continue to have a military budget of \$80 billion, plus a space budget of several billion dollars, plus a rather elaborate foreign military aid program, and keep the dollar in sound shape and the domestic programs going. We ought to face up to this problem—if not now, soon.

We cannot keep this country sound if we continue military expenditures at the rate of \$80 billion. It cannot be done. The defense budget is full of water. It is full of waste. Now is the time for those of us who like to look a little ahead and who love our country as much as those who are willing to see thousands of our boys killed month after month and year after year for the illusory thing called military victory to cut back where we can. Let us get the budget back in line.

Mr. HARRIS. Mr. President, may I briefly respond, on the Senator's time?

Mr. CLARK. Yes.

Mr. HARRIS. I do not want to fall out with the distinguished Senator from Pennsylvania over his amendment, because, as he well knows, I honor him greatly for the tremendous work he has done in this field over the years. I laud him for his continued dedication to helping our country see the critical problems that face us domestically, and helping in

this fight to build the national will and determination to meet those problems.

It just happens that I have a different approach. It is the approach of stating where the cuts should not come, and not where they should come. The Senator has admitted that his amendment is not binding on the Chief Executive, anyway.

We are in agreement on the tremendous need to face up to our domestic problems here at home.

Mr. CLARK. Mr. President, I thank the Senator for his observation.

If the Senator from Florida is prepared to yield back his time, I am prepared to yield back my time.

Mr. SMATHERS. Yes.

Mr. CLARK. I yield back my time. I suggest that the Senate vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Pennsylvania [Mr. CLARK] to the amendment of the Senator from New York [Mr. JAVITS]. All time on the amendment has been yielded back. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senators from Rhode Island [Mr. PASTORE and Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG] are absent on official business.

I further announce that, if present and voting, the Senator from Michigan [Mr. HART] would vote "nay."

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from New York would vote "yea," and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Illinois [Mr. PERCY], the Senator from Arizona [Mr. FANNIN], and the Senator from Iowa [Mr. MILLER] would each vote "nay."

The result was announced—yeas 17, nays 62, as follows:

[No. 91 Leg.]

YEAS—17

Burdick	Hatfield	Moss
Byrd, W. Va.	Kennedy, Mass.	Nelson
Church	McGovern	Randolph
Clark	Metcalfe	Tydings
Gruening	Mondale	Young, Ohio
Hartke	Morse	

NAYS—62

Aiken	Gore	Montoya
Allott	Griffin	Morton
Anderson	Hansen	Mundt
Baker	Harris	Murphy
Bible	Hayden	Muskie
Boggs	Hickenlooper	Pearson
Brewster	Hill	Proity
Brooke	Holland	Proxmire
Byrd, Va.	Hollings	Ribicoff
Cannon	Hruska	Russell
Carlson	Inouye	Scott
Case	Jackson	Smathers
Cooper	Javits	Smith
Cotton	Jordan, N.C.	Spong
Curtis	Jordan, Idaho	Symington
Dodd	Kuchel	Thurmond
Dominick	Lausche	Tower
Eastland	Long, La.	Williams, N.J.
Ellender	Magnuson	Williams, Del.
Ervin	McGee	Young, N. Dak.
Fong	McIntyre	

NOT VOTING—21

Bartlett	Kennedy, N.Y.	Pastore
Bayh	Long, Mo.	Pell
Bennett	Mansfield	Percy
Dirksen	McCarthy	Sparkman
Fannin	McClellan	Stennis
Fulbright	Miller	Talmadge
Hart	Monroney	Yarborough

So Mr. CLARK's amendment to Mr. JAVITS' amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from New York.

Mr. JAVITS. Mr. President, I ask the Senator from Louisiana to yield me 5 minutes.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from New York.

The ACTING PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. JAVITS. Mr. President, if I may have the attention of the Senate, I assure the Senate that we will have a vote within 10 minutes on my amendment. I will take 5 minutes, and I do not think that the Senator from Louisiana will take any longer.

The purpose of my amendment lies in certain categories of appropriations that Congress, and not the President, will control, even if we pass the Smathers-Williams substitute. Just as last night, when we took out the moratorium on public works, it does not mean that appropriations cannot be cut. The appropriations can be cut, but it does not create a situation in which various starts may be permitted. It had no relationship to the amount of \$6 billion in cuts. The same is true of my amendment.

Congress may cut the President's budget in the appropriations. However, whatever Congress does with relation to the specified items in my amendment—education, low-income housing, water and air pollution prevention, the District of Columbia, the prevention and detection of crime, training and employment of disadvantaged persons, and the war on poverty—will be final. The President could not apply any part of the \$6 billion in cuts to those programs and subject them to further cuts after Congress appropriates money for them.

When we rejected the Clark amendment, we rejected any idea of confining the President to the items he could cut. My amendment is negative in character. The President may not cut these items. However, he still would have some \$87-odd billion open to him to cut. Of that

amount, about \$50 billion is for defense other than Vietnam. The remaining amount under budget control would be something in the neighborhood of \$31 or \$32 billion.

The ACTING PRESIDENT pro tempore. The Senator will suspend.

The Senate Chamber will be in order so that the Senator from New York may proceed. The Senate will please be in order.

The Senator from New York may proceed.

Mr. JAVITS. The reason for the amendment is that these are sensitive items in the cities and in other parts of the country, but primarily in the cities.

We should keep control of them, because we are in for a rough time. If anybody needs any proof it, yesterday's riot in Memphis should be adequate confirmation of that. That is the entire purpose of everything I am trying to do, and the whole reason for it.

The reason I was most regretfully—because Senator CLARK is on my side—compelled to vote against the Clark amendment was that I did not want to confine the area in which the President could cut further by some \$30 billion in round figures, but I want to leave him as much latitude as possible.

I should like to explain one point. Senators will find on their desks an analysis of what my staff computed to be the amounts of the budget which would be protected, depending upon our appropriations under this amendment. There is an error in that, which I wish to state to the Senate, it comes under the heading of "Education."

We failed to list under the heading "Education" higher education and impacted areas. That adds to the aggregate amount of \$6.177 billion, which is contained at the end of the chart, a figure—approximately \$1.7 billion—which increases it to \$7.8 billion. I cannot correct my amendment.

Mr. MORSE. Mr. President, will the Senator yield for a question?

Mr. JAVITS. I yield.

Mr. MORSE. All higher education is eliminated as well as certain special education matters. The Senator has said that he cannot correct his amendment.

Mr. JAVITS. The amendment covers it, but my chart does not, and I am correcting the chart. My amendment covers it. It has one word, "education." I am basing my amendment on the budget. I have said so; that is my legislative history. The budget carries higher education.

Mr. MORSE. The budget is \$3.5 billion, against \$6.7 billion that Congress has already authorized for all education. When we get into the budget issue, some of us will insist that we improve that budget and get back to the \$6.7 billion that it should be.

Mr. JAVITS. I realize that, but I am just giving my budget figures. Therefore, the aggregate figure which should appear on the chart is \$7.8 billion.

I ask unanimous consent that the corrected chart be printed at this point in the RECORD.

There being no objection, the corrected table was ordered to be printed in the RECORD, as follows:

	Amount
EDUCATION	
Elementary and secondary educational activities:	
Expenditures.....	\$1,400,000,000
Net lending.....	900,000
Teacher Corps.....	21,700,000
Expansion and improvement of vocational education.....	246,300,000
Educational improvement for the handicapped.....	64,000,000
Higher educational activities:	
Expenditures.....	945,300,000
Net lending.....	31,900,000
School assistance in Federally affected areas.....	415,500,000
Other educational activities.....	445,700,000
Total.....	3,571,400,000
LOW-INCOME HOUSING	
Grants for neighborhood facilities.....	32,000,000
Urban renewal and community facilities, salaries.....	14,600,000
Urban renewal programs (liquidation of contract authorization).....	699,100,000
Low-rent public housing, administrative expenses.....	335,300,000
Housing for the elderly or handicapped fund.....	98,400,000
Model cities programs.....	250,000,000
Low-income housing demonstration programs (liquidation of contract authorization).....	3,800,000
Rent supplemental program.....	16,100,000
Total.....	1,449,000,000
WATER AND AIR POLLUTION PREVENTION	
Water pollution control.....	278,100,000
Air pollution.....	80,000,000
Total.....	358,100,000
PREVENTION AND DETECTION OF CRIME	
Law enforcement assistants.....	14,200,000
Control of crime.....	39,000,000
Total.....	53,200,000
DISTRICT OF COLUMBIA	
Federal payment to the District of Columbia..	83,500,000
Loans to the District of Columbia for capital outlay: Net lending.....	67,200,000
Total.....	150,700,000
TRAINING AND EMPLOYMENT OF DISADVANTAGED PERSONS	
Manpower development and training activities.....	430,000,000
WAR ON POVERTY	
Economic opportunity program:	
Expenditures.....	2,000,000,000
Net lending.....	3,100,000
Total.....	2,003,100,000
Grand total.....	8,015,000,000

Note: Figures may not total due to rounding.

Mr. JAVITS. Mr. President, the reason why I said I cannot change my amendment is that if I could change it, I could say elementary and secondary education. It has to be taken as the total sum, education, which includes higher education and impacted areas.

There is \$87 billion from which he can cut; and if the figure of \$7.8 billion is the figure, as contained within this amendment, then it is under 10 percent of the amount available to the President, within which he can cut the \$6 billion that is provided by the Smathers-Williams substitute.

That is the net of the argument. I base it entirely upon the sensitivity of the situation in which we are engaged. All I argue is that we should not surrender to the President to make a supervening cut based on the \$6 billion once we have determined what the appropriations should be within these categories; and, hence, we are safeguarding to our-

selves some \$7.8 billion in budget requests which we have determined that we will rule on alone, once we have decided the President has to leave that alone, still leaving him some \$80 billion in which he can cut.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). The time of the Senator has expired.

Mr. JAVITS. I ask for 1 additional minute.

Mr. LONG of Louisiana. I yield 1 additional minute to the Senator from New York.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. What does the Senator from New York say about the comment that has been made on the floor of the Senate, in our conversations among each other, that the amendment deals with urban problems but does not do anything for the benefit of the rural areas of the country, which also should be protected with regard to some of the cuts?

Mr. JAVITS. That is not so, because education does deal with rural areas. For example, higher education, impacted areas, and the various items of elementary and secondary education where there is poverty. Those items deal with rural areas. Water and air pollution deal with rural areas. Certainly low-income housing is now being built in the smaller cities of the country. Prevention and detection of crime, training and employment of disadvantaged persons, the war on poverty—all quite clearly deal with rural problems.

Mr. MORSE. What concerns some of the people from the rural areas is the entire matter of our natural resources program, our conservation program, our water development programs. How will they be protected in regard to those cuts?

Mr. JAVITS. Other Senators could move the same way I have moved, with respect to other items. I have tried to zero in on the crisis of the cities, primarily.

Mr. CLARK. Mr. President, will the Senator yield me 1 minute?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Pennsylvania, on the bill.

Mr. CLARK. Mr. President, I should like the attention of the Senator from Oregon.

I support the Javits amendment, because I believe the language is clearly broad enough to cover all our rural programs.

I regret that the Senator from New York, in the statement he placed on our desks, put such stress on the cities. He has told me that it was inadvertent. With respect to the program with which I have some familiarity, the war on poverty, 43 percent of all the people in poverty in the United States are in rural areas.

Mr. MORSE. I am going to support the amendment.

Mr. CLARK. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute on the bill.

Mr. President, as I have said, I do not believe that this revenue bill—to extend

excise tax rates—is the vehicle by which to act on appropriation bills. The Committee on Finance does not have the responsibility in that field; it does not have the staff in that field; it does not have the information in that field. We might not know what to advise the Senate.

But I will say that if the Senate decides it must act on appropriations through an amendment to this tax bill, it does not make any sense to first insist on a \$6 billion cut and then to specify that none of it should come out of new programs.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 30 seconds.

It seems to me that all programs will have to be cut. Only \$39 billion in the budget, from the point of view of the administration, can be touched at all; and the Senator from New York would reduce that amount by a great deal. Our staff estimates that the items the Senator has in mind would amount to \$16 billion. The Senator estimates that they would amount to \$7.8 billion.

Whatever figure is used, the proposed overall reduction is so large that it would be wrong to say that the poverty program is sacred and must not be cut, that urban housing must not be cut, and so forth. If an enormous cutback such as that must be made, everything should be eligible for pruning.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Is it not a fact that of the \$79 billion for defense, only \$26 billion, in round figures, is for Vietnam, and that there is some \$54 billion-odd which is the normal defense quota?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

That is the Senator's statement. It is not the statement of the administration or of the Defense Establishment. So far as the Defense Establishment is concerned, research and development, which is a huge part of what the Senator is talking about, is absolutely vital; that if you do not continue the research and development on a large scale, while it may not cost the war in Vietnam, it may cost us our very survival somewhere down the road.

From the point of view of the administration, the items that the Senator says are non-Vietnam expenditures are even more vital in some instances than the war in Vietnam.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

I believe that the Committee on Armed Services would state that some of these defense items which the Senator calls non-Vietnam items are more essential to our ultimate survival than some of the expenditures for Vietnam.

Mr. LAUSCHE. Mr. President, will the Senator yield me 3 minutes?

Mr. LONG of Louisiana. I yield 3 minutes to the distinguished Senator from Ohio.

Mr. LAUSCHE. Mr. President, there is

now a dispute as to the exact amount of money that would be rendered immune from cuts if the amendment of the Senator from New York is adopted. The staff aides state that it would amount to \$16 billion. The statement submitted by the Senator from New York indicates that it would amount to \$6.177 billion.

Mr. JAVITS. \$7.8 billion. I have amended it.

Mr. LAUSCHE. Some other items are included. That is quite a difference, whether it is \$16 billion that will be exempt or whether it is \$7 billion.

However, I wish to call the attention of the Senate to this fact: The figures of the Senator from New York are taken out of the budget of 1969.

The budget for 1969 is higher than the appropriations for 1968. The Senator contemplates rendering exempt from reductions the educational programs, low income housing, water and air pollution prevention, prevention and detection of crime, the District of Columbia in certain respects, training and employment of disadvantaged persons, and the war on poverty.

Mr. President, in consultation with the staff member of the Senator from New York I have studied the figures involved in the principal items concerning expansion and improvement of vocational education, urban renewal program, low-rent housing program, model cities program, water pollution control, air pollution control, prevention and detection of crime, and the war on poverty.

The budget shows that for fiscal 1969 the amount allocated to these different functions, which I have just identified, is \$830 million more than we appropriated in 1968. I wish to repeat that statement. The budgetary figure for 1969 for these principal items is \$823 million more than the actual amount appropriated in 1968. Mr. President, I think that is a very pertinent factor to consider in determining how the vote should be cast.

SEVERAL SENATORS. Vote! Vote!

Mr. WILLIAMS of New Jersey. Mr. President, we hear a great deal of talk about national security. Generally speaking, however, this is usually in context with our overseas involvement or with our military posture. I, too, believe that we must maintain as strong safeguards as necessary in order to maintain our national security. But I think this should mean security at home, on the domestic scene, as well as on the foreign scene. A country cannot be secure with riots raging in its bowels.

In its recent report on civil disorders, the Kerner Commission stressed the need for improved low-income housing. The Kerner Commission recommended that the Federal Government "bring within the reach of low- and moderate-income families within the next 5 years 6 million new and existing units of decent housing, beginning with 600,000 units in the next year."

Secretary Weaver, in testifying before the Banking and Currency Committee on the administration's housing bill, S. 3029, reiterated this need. The Secretary, however, proposed a 10-year housing program rather than the 5 years recommended by the Kerner Commission and

asked for additional authorization of \$662,500,000 for fiscal 1969.

I, for one, prefer the approach recommended by the Kerner Commission. The authorization asked for in S. 3029 provides a bare minimum authorization to carry out the most pressing need for adequate low income housing and to rebuild our Nation's ghettos. Any further cuts in the authorization would wipe out the recommendations of the Kerner report and those of the administration contained in S. 3029. Such action would bring further disillusionment to our Nation's impoverished citizens.

There has been a great deal of talk of a choice between guns and butter. I am not sure I would have chosen those words to describe the priorities; however, we were told the other day by the Under Secretary of the Treasury that it was impossible to have both. At a hearing in December before the Aging Committee, one of the witnesses stated:

Not only materialistic goals, but scientific, technological and military aims absorb us. We are skilled in the art of war; we are unskilled in the art of peace. We are proficient in the art of killing; we are ignorant in the art of living. Somewhere in the scheme of things, these values must be reordered. This must be reflected in the re-allocation of our national expenditures. Basic human qualities have to receive our highest priority, or progress on all other fronts becomes meaningless.

I do not think one should have to make a choice between foreign and domestic spending, because are very necessary to the welfare of our country. I must confess, however, that I much prefer building to destroying. I feel that it is absolutely urgent to continue our programs at home at least at the bare minimum level we are presently on. I support, therefore, the amendment of the Senator from New York.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. Mr. President, with due respect to the Senator from New York, I understand his position and he is sincere. However, it should be already pointed out that if we are going to adopt these exceptions there will be other exceptions, and we might as well face the fact that that would mean the end of the bill which is now before us. I do not think it would be possible to proceed further.

Mr. SMATHERS. Mr. President, I associate with the statement by the Senator from Delaware that if this amendment should be agreed to, which I hope it will not be, there would be no prospect of getting other Senators to vote for spending cuts.

The PRESIDING OFFICER. All time has been yielded back, the question is on agreeing to the amendment of the Senator from New York. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indi-

ana [Mr. HARTKE], the Senator from Montana [Mr. MANSFIELD], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG], are absent on official business.

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting the Senator from New York would vote "yea," and the Senator from Rhode Island would vote "nay."

I further announce that, if present and voting, the Senator from Rhode Island [Mr. PELL] and the Senator from Michigan [Mr. HART] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

If present and voting, the Senator from Arizona [Mr. FANNIN] and the Senator from Iowa [Mr. MILLER] would each vote "nay."

On this vote, the Senator from Illinois [Mr. PERCY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Utah would vote "nay."

The result was announced—yeas 22, nays 55, as follows:

[No. 92 Leg.]

YEAS—22

Brooke	Kennedy, Mass.	Randolph
Case	McIntyre	Ribicoff
Clark	Metcalf	Scott
Gruening	Mondale	Tydings
Harris	Morse	Williams, N.J.
Hatfield	Muskie	Young, Ohio
Inouye	Nelson	
Javits	Prouty	

NAYS—55

Alken	Ervin	McGovern
Allott	Fong	Montoya
Anderson	Gore	Morton
Bible	Griffin	Moss
Boggs	Hansen	Mundt
Brewster	Hayden	Murphy
Burdick	Hickenlooper	Pearson
Byrd, Va.	Hill	Proxmire
Byrd, W. Va.	Holland	Russell
Cannon	Hollings	Smathers
Carlson	Hruska	Smith
Church	Jackson	Spong
Cooper	Jordan, N.C.	Symington
Cotton	Jordan, Idaho	Thurmond
Curtis	Kuchel	Tower
Dodd	Lausche	Williams, Del.
Dominick	Long, La.	Young, N. Dak.
Eastland	Magnuson	
Ellender	McGee	

NOT VOTING—23

Baker	Hartke	Pastore
Bartlett	Kennedy, N.Y.	Pell
Bayh	Long, Mo.	Percy
Bennett	Mansfield	Sparkman
Dirksen	McCarthy	Stennis
Fannin	McClellan	Talmadge
Fulbright	Miller	Yarborough
Hart	Monroney	

So Mr. JAVITS' amendment (No. 672) was rejected.

AMENDMENT NO. 670

Mr. JAVITS. Mr. President, I call up my amendment No. 670 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. At the end of the bill insert the following:

SEC. 8. ESTABLISHMENT OF A COMMISSION ON FEDERAL BUDGET PRIORITIES AND EXPENDITURE POLICY.

(a) Recognizing the profound influence which the composition and level of Federal expenditures and their relationship to revenues have on the Nation's general welfare, domestic tranquility, economic growth and stability, it is hereby declared to be the intent of Congress to initiate a far-reaching, objective, and nonpartisan review of Federal budget priorities and expenditure policy. In the carrying out of such review, and in the formulation of recommendations with respect thereto, particular consideration shall be given to the following—

(1) establishing spending priorities among Federal programs, including the identification of those programs which need greatest immediate emphasis and those which can be deferred in a time of expected deficits, in order to serve as a guide to the administration in making expenditures and in drawing up future budgets;

(2) appraising Federal activities in order to identify those programs which tend to retard economic growth and for which expenditures should be reduced or eliminated;

(3) improving the Federal budgeting and appropriations process in order to increase the effective control of expenditures;

(4) examining the responsibilities and functions which are now assumed by the Federal Government, but which could be performed better and with superior effectiveness by the private economy;

(5) reviewing Federal responsibility and functions in order to determine which could be better performed at the State and local levels; and

(6) improving Government organization and procedures in order to increase efficiency and promote savings, including a review of the recommendations of the Hoover Commission in order to determine how well those already implemented have achieved their purposes in practice and whether those not yet implemented should be given further consideration.

ESTABLISHMENT OF THE COMMISSION ON FEDERAL EXPENDITURE POLICY

(b) (A) In order to carry out the purposes set forth in the first section of this Act, there is hereby established a commission to be known as the Commission on Federal Budget Priorities and Expenditure Policy (referred to hereinafter as the "Commission").

(B) The Commission shall be composed of sixteen members as follows:

(1) Four appointed by the President of the United States, two from the executive branch of the Government, including the Director of the Bureau of the Budget, and two from private life who have distinguished careers in labor, the professions, industry, local and State government, or higher education;

(2) Six members of the Senate appointed by the President of the Senate; and

(3) Six Members of the House of Representatives appointed by the Speaker of the House of Representatives.

(C) Of each class of two members referred to in subsection (B), not more than one member shall be from any one political party.

(D) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(E) Service of an individual as a member of the Commission or employment of an individual by the Commission as an attorney or expert in any business or professional field, on a part-time or full-time basis, with or without compensation, shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, 434, or 1914 of title 18 of the United States Code.

(F) The Commission shall elect a Chairman and a Vice Chairman from among its members.

(G) Nine members of the Commission shall constitute a quorum.

ADVISORY PANEL TO THE COMMISSION

(c) The Commission may establish an Advisory Panel which shall consist of persons of exceptional competence and experience in appropriate fields, including social welfare, economics, and political science. Such Advisory Panel members shall be drawn equally from the Government, private industry, and nonprofit educational institutions, and shall be persons available to act as consultants for the Commission.

STAFF OF THE COMMISSION

(d) (A) The Commission may appoint and fix the compensation of such personnel as it deems advisable in accordance with the provisions of the civil service laws and the Classification Act of 1949.

(B) The Commission may procure, without regard to the civil service laws and the classification laws, temporary and intermittent services (including those of members of the Advisory Panel) to the same extent as authorized for the departments by section 15 of the Act of August 2, 1946 (60 Stat. 810; 5 U.S.C. 55a), but at rates not to exceed \$75 per diem for individuals.

DUTIES OF THE COMMISSION

(e) (A) The Commission shall make a comprehensive and impartial study and investigation of the programs and policies of the Federal Government with a view to carrying out the purposes set forth in the first section of this Act.

(B) During the course of its study and investigation the Commission may submit to the President and the Congress such reports as the Commission may consider advisable. The Commission shall submit to the President and the Congress an interim report with respect to its findings, conclusions, and recommendations pursuant to section (a) (1) no later than January 1, 1969, and a final report no later than January 1, 1970.

POWERS OF THE COMMISSION

(f) (A) (1) The Commissioner or, on the authorization of the Commission, any subcommittee thereof, may, for the purpose of carrying out its functions and duties, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses, and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee may deem advisable. Subpenas may be issued under the signature of the Chairman or Vice Chairman, or any duly designated member, and may be served by any person designated by the Chairman, the Vice Chairman, or such member.

(2) In case of contumacy or refusal to obey a subpoena issued under paragraph (1) of this subsection, any district court of the United States or the United States court of any possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is being carried on or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an

order requiring such person to appear before the Commission or a subcommittee thereof, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(B) Each department, agency, and instrumentality of the executive branch of the Government, including independent agencies, is authorized and directed to furnish to the Commission, upon request made by the Chairman or Vice Chairman, such information as the Commission deems necessary to carry out its functions under this Act.

COMPENSATION OF COMMISSION MEMBERS

(g) (A) Members of the Commission who are Members of Congress or officers of the executive branch of the Federal Government shall serve without compensation in addition to that received in their regular public employment, but shall be allowed necessary travel expenses (or, in the alternative, a per diem in lieu of subsistence and mileage not to exceed the rates prescribed in the Travel Expense Act of 1949, as amended, without regard to the Travel Expense Act of 1949, as amended (5 U.S.C. 835-842), the Standardized Government Travel Regulations, or section 10 of the Act of March 3, 1933 (5 U.S.C. 73b), and other necessary expenses incurred by them in the performance of duties vested in the Commission.

(B) Members of the Commission, other than those to whom subsection (a) is applicable, shall receive compensation at the rate of \$75 per day for each day they are engaged in the performance of their duties as members of the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Commission, as provided for in subsection (a) of this section.

EXPENSES OF THE COMMISSION

(h) There are hereby authorized to be appropriated to the Commission, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

EXPIRATION OF THE COMMISSION

(i) The Commission shall cease to exist — days after the submission of its final report.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. If I may have the attention of Senators, I think this amendment can be disposed of quickly. It is sponsored by the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], the Senator from Illinois [Mr. PERCY], and myself. It carries the recommendations of the minority members of the Joint Economic Committee which were made in 1963 and 1964 and again—this year, in 1968—in its report on the President's Economic Report.

Mr. President, the recommendations of the minority members of the Joint Economic Committee and this amendment seek establishment of a commission, which will have a limited life, on Federal budget priorities and expenditure policy. The powers of the commission will be to establish spending priorities among Federal programs including identification of those programs which need the greatest immediate emphasis than those which can be deferred; to appraise Federal activities in order to identify the programs which tend to retard economic growth and for which expenditures should be re-

duced or eliminated; to improve Federal budgeting and appropriations processing in order to increase effective control of expenditures, and to examine responsibilities and functions which are now assumed by the Federal Government but which could be performed better and with superior effectiveness in the private economy, which is something that is dear to the hearts of many Senators; to review Federal responsibilities and functions in order to determine which could be better performed at the State and local level—again a matter of great interest to many Senators; to improve Government organization and procedures, to increase efficiency and promote safety, the powers including review of the recommendations of the Hoover Commission in order to determine how well those efficiency measures already implemented have achieved their purpose in practice, and whether those not yet implemented should be given further consideration.

The Commission is not expensive. It consists of four members appointed by the President, two from the executive, including the Director of the Bureau of the Budget, and two from private life; six Members of the Senate and six Members of the House. The Commission is to be compensated on the per diem basis of \$75 a day for the time spent in the work of the Commission. The Commission will cease to exist within a specified number of days after submission of its final report.

It seems to the minority members on the Joint Economic Committee—and, as I say, we recommended this now on a number of different occasions, 1963, 1964, and 1968—that this is a highly desirable review especially on the matter of machinery to establish priorities, and especially on the matter of continuing an evaluation of the programs we do undertake in order to determine whether they are desirable or undesirable.

The Commission would also undertake a review of the work of the Hoover Commission. This is the kind of amendment which applies to the bill and not just to the Williams-Smathers amendment. The only reason for seeking this is that the door may be shut to any amendment once the Williams-Smathers amendment is adopted.

Therefore, I submitted the amendment to this particular substitute. If the amendment carries, I shall then move—and I am sure the manager of the bill would not object—to put the amendment on the bill.

It is the kind of measure which I would hope the manager of the bill would take to conference, especially when it has been recommended by the minority members of the Joint Economic Committee on a number of occasions. If, on an evaluation in conference, it is not considered to be a desirable thing, then it will be explained to us why, and it can be dealt with properly.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I yield myself 5 minutes.

The Republicans on the Joint Economic Committee have constantly been seeking ways and means to bring about a reevaluation of budgetary procedures and practices with regard to priorities

and an appraisal of whether or not programs we have legislated are good and a reevaluation of what has been done under the Hoover Commission.

It is significant that there are joined in this amendment both those of liberal and more conservative persuasion—in addition to myself other cosponsors of the bill are Senator JORDAN of Idaho, Senator MILLER of Iowa, and Senator PERCY of Illinois. I am anxious, as they are, to get the best out of government. This proposal represents a joint effort on the part of the minority on the Joint Economic Committee to get the best out of government.

In order that the Senate may evaluate the minority members of the Joint Committee who are making the recommendation, I would like to refer to them. They are, aside from myself: Senator MILLER, Senator JORDAN of Idaho, Senator PERCY, being the total representation of the minority members of the committee on the Senate side. From the other side of the Capitol, they are Representatives CURTIS of Missouri, WIDNALL, RUMSFELD, and BROCK. We have joined on a number of occasions in urging this Commission to the Congress.

I hope very much it may be found worthy of at least consideration in the totality of this bill when considered by representatives of both Houses.

Mr. GRIFFIN. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. GRIFFIN. On page 4 of the amendment, in subsection (c), it is stated:

Of each class of two members referred to in subsection (B), not more than one member shall be from any one political party.

What does that mean?

Mr. JAVITS. It means it will be composed of a Democrat and a Republican, rather than two Democrats or two Republicans.

Mr. GRIFFIN. In other words, with a commission of 16 members, six Members from the Senate, and six from the House, would it be understood that from the Members of the Senate there would be three Democrats and three Republicans, for example?

Mr. JAVITS. Yes; there would be three Democrats and three Republicans. Of course, the fulcrum of party control would come in the four appointed by the President. So there would really be a 10-to-6 ratio on the Commission and the majority party would retain control of it.

Mr. President, I reserve the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield myself 3 minutes.

The Senator's proposal is not within the jurisdiction of the Finance Committee. This is the kind of matter that we should not be called upon to study or to recommend to the Senate. On the House side, also it is not within the jurisdiction of the Ways and Means Committee.

If this proposal were introduced as a bill on its own merits, it would be referred, properly, I believe to the Committee on Government Operations, of which the Senator from Arkansas [Mr.

McCLELLAN] is chairman. I assume the committee would study it and make recommendations to the Senate, for or against it. For all I know, it may be studying the matter now.

The proposal has no place even in the substitute, much less the bill itself.

If the Senate wants to vote on everything, just any bill, whether it is a matter of taxing or spending—just anything—I suppose we could be here forever on the tax bill which involves excise tax rates which expire Sunday night.

I would hope the Senator would not insist on it. If he insists on it, then I hope the Senate will reject it.

Even if the Senate is so foolish as to wander into the policy of putting almost anything on a tax bill, I am sure the House will not do it. The members of the Ways and Means Committee will not like the idea of violating the jurisdiction of every other committee, just as members of the Senate Finance Committee would not trample over the jurisdiction of other committees.

I hope the amendment will not be accepted.

Mr. JAVITS. Mr. President, I yield myself 5 minutes.

The best answer to the argument of the Senator from Louisiana, of course, is that he made precisely the same argument with respect to the Smathers-Williams substitute. The Smathers-Williams substitute, according to him, does not belong on this bill, anyhow.

What we are trying to do is put the fiscal and monetary house of the United States in order, because it is in disorder, with great damage to us throughout the world. Therefore, anything which can contribute to that very desirable result is entitled to the consideration of the Senate upon this bill, not just what the administration tosses up to us. The administration has given us the extension of two excise taxes and has said, "Get along with that for the present, boys." But the world will not wait.

This is one of the measures proposed in an effort to put the monetary and fiscal house of the United States in order. It goes to the root of one of the significant problems troubling us, and that is our failure or refusal to set national priorities, which is one thing that a commission like this could recommend to the Nation.

Who could quarrel with the impact on both our tax system and revenues in terms of the efficiencies and operations in the various Government departments? So I think the amendment is pertinent. It is not an unrefined proposal. As I pointed out, as long ago as 5 years the minority members of the Joint Economic Committee recommended it on three separate occasions, including a report in 1968.

When we are dealing with the problem, when one is seized with the responsibility as we are now, we should deal with the problem.

Unless this is a government in which we have some creativity, then the situation will go from bad to worse to worse, which is the way it has been going, precisely for the reason that the proper amount of creativity has not been exercised here.

Therefore, for precisely the same reasons for which we are dealing here at considerable length and trouble with the Smathers-Williams proposal, we should deal with this proposal. It is desirable. It has been refined and thought through. It certainly meets the needs of the United States. The Hoover Commission recommendations have not been evaluated in terms of what has been done. The others may be gathering dust on the shelf. They may be desirable in the interest of the Nation.

There are more ways to bring revenues into the Federal Treasury. One is by taxes and reducing overall expenditures. Another is to cut Federal employment. That is dealt with, too.

The third way is to review the operations of the Government in the way that this Commission proposes.

For all those reasons, Mr. President, I feel it my duty to press for this amendment. It is neither a conservative nor a liberal amendment; it is an intelligent effort to try to come to grips with our problems, and to get the best advice possible on them.

Why appoint a Commission on Civil Disorders, Mr. President? The FBI, the Army, the Navy, the Air Force, and the local police can take care of the situation.

But that is not the way we feel about things in this country. We want to be forehanded, and not sweep up the wreckage after wreckage has been created.

It is the same with this Commission, Mr. President. So I hope very much that the Senate will consider it desirable to grant this authority.

It is very reasonable. It costs no money of any kind or character, and it is a very useful, important thing to do at this particular moment.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

At least it can be said for the Williams-Smathers substitute that it does propose to raise taxes, and so, to that extent at least, it is within the jurisdiction and competence of the Committee on Finance. Inasmuch as it says that a tax increase should be conditioned on some reductions in expenditures, the spending cut is added to it.

But, Mr. President, whatever one might say with regard to this commission, the results it might obtain lie off in the future. After the commission is appointed and makes its study, and makes a recommendation, the Executive must consider the recommendation, Congress must consider the recommendation, and both must act on it. As far as the short term is concerned, all this amendment could possibly do is just cost more money. In that regard, it has nothing to do with either the purpose of the substitute or the purpose of the bill itself, insofar as the short-range effects of it are concerned.

Mr. JAVITS. Mr. President, I yield myself 1 additional minute.

The reason I am proposing this amendment—it is not solely my own creation—is that I am the ranking Republican member of the Joint Economic Committee. Hence, when the members of the

Joint Economic Committee on our side determined that this was the proper course, it was quite proper that I should make this move in the Senate.

It is well known that the rules of the other body do not accommodate amendments of this character. They just would not be in order. They have various problems with their Rules Committee, and in other ways. But it can be done here. I believe it is my duty to do it, and I am deeply convinced that it is the right thing to do, and that it should be done on this bill, because if we are to recognize the problems we face, then it is up to us, on this side, to present creative alternatives.

This is a creative alternative. The administration can tell us, "Just leave it to us, and we will take care of it." That is what they do all the time. But we want some light thrown on the interior of the process by which expenditures and budgets are created.

This measure can only reduce expenditures; it will not raise them, because that would be contrary to the fundamental thrust of the function of a commission of this type.

Naturally, any incumbent administration wants to keep everybody out. They all say they will take care of it. Well, this administration has taken care of it very badly, Mr. President, and that is why we are now considering the Smathers-Williams substitute, which I support and which I hope will be adopted. That is why, in my judgment, this type of approach, which is intelligent and scientific, comes at the right time and the right place and for the right purposes, should be agreed to by the Senate.

Mr. President, I am ready to vote.

Mr. LONG of Louisiana. I yield back the remainder of my time.

Mr. MORTON. Mr. President, I suggest the absence of a quorum.

Mr. JAVITS. Mr. President, I suggest that the time for the quorum call be charged to neither side, or that it be charged equally to both sides.

Mr. LONG of Louisiana. If both sides will yield their time back, we can have a quorum call then.

Mr. MORTON. Mr. President, the Senator from Delaware [Mr. WILLIAMS], who has played an important role in this matter, asked me to get word to him before we came to a vote, and I am doing this as a matter of courtesy to him. I am not being dilatory in any way. If the Senator from Louisiana can find him, he may call the quorum call off.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MORTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

All time having been yielded back, the question is on agreeing to the amendment (No. 670) offered by the Senator from New York. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Montana [Mr. MANSFIELD], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Minnesota [Mr. McCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Oklahoma [Mr. MONROE], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], the Senator from Texas [Mr. YARBOROUGH], and the Senator from Ohio [Mr. YOUNG] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG] are absent on official business.

On this vote, the Senator from New York [Mr. KENNEDY] is paired with the Senator from Utah [Mr. BENNETT]. If present and voting, the Senator from New York would vote "nay" and the Senator from Utah would vote "yea."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Arizona [Mr. FANNIN]. If present and voting, the Senator from Rhode Island would vote "nay" and the Senator from Arizona would vote "yea."

I further announce that, if present and voting, the Senator from Michigan [Mr. HART] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], the Senator from Tennessee [Mr. BAKER], and the Senator from Iowa [Mr. MILLER] are necessarily absent.

If present and voting, the Senator from Illinois [Mr. PERCY], and the Senator from Iowa [Mr. MILLER] would each vote "yea."

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from New York [Mr. KENNEDY]. If present and voting, the Senator from Utah would vote "yea," and the Senator from New York would vote "nay."

On this vote, the Senator from Arizona [Mr. FANNIN] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from Arizona would vote "yea," and the Senator from Rhode Island would vote "nay."

The result was announced—yeas 36, nays 40, as follows:

[No. 93 Leg.]

YEAS—36

Alken	Griffin	Murphy
Allott	Hansen	Nelson
Boggs	Hatfield	Pearson
Brooke	Hickenlooper	Prouty
Carlson	Hruska	Proxmire
Case	Javits	Ribicoff
Clark	Jordan, Idaho	Scott
Cooper	Kuchel	Smith
Cotton	McGovern	Thurmond
Curtis	Mondale	Tower
Dominick	Morton	Williams, Del.
Fong	Mundt	Young, N. Dak.

NAYS—40

Anderson	Brewster	Byrd, Va.
Bible	Burdick	Byrd, W. Va.

Cannon	Holland	Morse
Church	Hollings	Moss
Dodd	Inouye	Muskie
Eastland	Jackson	Randolph
Ellender	Jordan, N.C.	Russell
Ervin	Kennedy, Mass.	Smathers
Gore	Lausche	Spong
Gruening	Long, La.	Symington
Harris	Magnuson	Tydings
Hartke	McGee	Williams, N.J.
Hayden	McIntyre	
Hill	Montoya	

NOT VOTING—24

Baker	Kennedy, N.Y.	Pastore
Bartlett	Long, Mo.	Pell
Bayh	Mansfield	Percy
Bennett	McCarthy	Sparkman
Dirksen	McClellan	Stennis
Fannin	Metcalf	Talmadge
Fulbright	Miller	Yarborough
Hart	Monroney	Young, Ohio

So Mr. JAVITS' amendment (No. 670) was rejected.

Mr. MCGOVERN. Mr. President, I send to the desk an amendment on behalf of myself, the Senator from North Dakota [Mr. YOUNG], the Senator from Wisconsin [Mr. NELSON], and the Senator from Idaho [Mr. CHURCH].

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. MCGOVERN. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

Mr. GRIFFIN. Mr. President, reserving the right to object, are copies of the amendment available?

Mr. MCGOVERN. I do not believe copies are available?

Mr. GRIFFIN. No copies are available?

Mr. MCGOVERN. I can explain it to the Senator in a very few words.

Mr. GRIFFIN. This is an amendment to propose a quota so far as dairy products are concerned?

Mr. MCGOVERN. That is correct. It would place a quota at the average of the 5-year period from 1961 through 1965. It is the same language contained in the bill (S. 612) offered by the senior Senator from Wisconsin [Mr. PROXMIRE] and 59 other Senators, who joined in cosponsoring the proposal.

Mr. GRIFFIN. I withdraw my reservation.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

At the end of the bill add the following new title:

"TITLE —

"Sec. 01. This title may be cited as the 'Dairy Import Act of 1968.'

"Sec. 02. No imports of dairy products shall be admitted into the United States for consumption except pursuant to authorizations issued by the Secretary of Agriculture in accordance with the provisions of this title.

"Sec. 03. No authorizations for imports of dairy products shall be issued by the Secretary which would result in total imports for consumption in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual quantities thereof which were admitted for consumption during the five calendar years 1961 through 1965.

"Sec. 04. In the event that total annual domestic consumption of milk and milk products in any calendar year shall be greater or less than the average annual domestic consumption of milk and milk products dur-

ing the five calendar years 1961 through 1965, the total volume of imports for such calendar year authorized under section 63 shall be increased or decreased by a corresponding percentage. For the purposes of this Act, the Secretary may estimate such total annual domestic consumption on a quarterly basis and reflect adjustments of such estimates in the level of imports authorized in subsequent quarters or in the subsequent year. In computing or estimating such annual domestic consumption under this Act, milk and milk products used in Federal distribution programs shall be excluded.

"Sec. 05. The President may permit, if he finds such action is required by overriding economic or national security interests of the United States, additional quantities of imports of any dairy product. Additional imports permitted under this section shall be admitted for consumption under special authorizations issued by the Secretary. No additional imports shall be admitted for consumption under this section at a time when prices received by dairy farmers for milk on national average as determined by the Secretary are at a level less than parity, unless the Secretary shall, at the time such imports are authorized, remove from the domestic market, in addition to and separate from other price support purchases and operations, a corresponding quantity of dairy products. The cost of removing such dairy products from the domestic market shall be separately reported and shall not be charged to any agricultural program.

"Sec. 06. 'Dairy products' for the purpose of this title includes all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and includes also any article, compound, or mixture containing 5 per centum or more of butterfat, or nonfat milk solids, or any combination of the two.

"Sec. 07. The Secretary may prescribe such rules and regulations as he deems necessary for the effective administration of this Act.

"Sec. 08. Nothing contained in this title shall be construed to repeal section 22 of the Agricultural Adjustment Act or any import limitation established thereunder; but the total annual quantitative limitations on imports of butterfat and nonfat milk solids prescribed by this title shall prevail, and all imports authorized under said section 22 or any other law shall be included in computing such total."

Mr. McGOVERN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. McGOVERN. I yield myself 5 minutes.

Mr. President, I shall not take much time on this proposal, because I believe the outline of it is generally known to all Members of the Senate. It is a simply worded proposal which would limit dairy imports—milk equivalent—into the United States to the average of the 5-year period 1961 through 1965.

This is the proposal that was introduced some time ago by the Senator from Wisconsin [Mr. PROXMIER] in which some 60 Senators on both sides of the aisle have joined as sponsors. It already has the general endorsement of the administration in the form of an Executive order which attempted to accomplish the purpose of this amendment. However, several loopholes have developed under the Executive arrangements that have been worked out, which have permitted a considerable increase in dairy imports

to take place; and the loopholes threaten further imports in the form of condensed or evaporated milk, which are not covered by the existing order. Also, several types of cheeses and other products are coming in under the existing controls.

This amendment would have the effect of actually closing those loopholes and limiting imports of dairy products to the 5-year average, 1961 through 1965. It would also have the merit of continuing force while the Executive order issued by the President some months ago, can be withdrawn at any time by the President. It does not have the force of law.

On yesterday, I discussed the proposed amendment briefly, and I made a judgment at that time, after talking with other Members of the Senate, that perhaps we should delay offering the amendment on this bill and seek action on the measure itself. However, further consultation with dairy industry leaders and with milk producers in my State and other parts of the country, have convinced me that this is the most practical way to proceed for immediate relief in this important problem.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. MAGNUSON. This is the same proposal that many of us have been trying to get into law?

Mr. McGOVERN. It is.

Mr. MAGNUSON. I believe that 60 Senators have cosponsored it.

Mr. McGOVERN. The Senator from Washington has been one of its principal backers.

Mr. MAGNUSON. And, generally, the proposal has been endorsed by the administration.

Mr. McGOVERN. It has.

Mr. MAGNUSON. It is long overdue.

I do not desire to clutter up the pending measure with amendments relating to a matter of this type, but inasmuch as we did it with respect to the textile amendment and others, I believe it would be helpful to the administration to do what I am sure they have wanted to do, because the imports have developed into a disguised situation. I believe the figures indicate that the imports have gone up almost astronomically in the past 3 or 4 years.

Mr. McGOVERN. There is no question about that.

Mr. MAGNUSON. I heartily support the amendment, as I always have.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. McGOVERN. I yield myself 5 additional minutes.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. NELSON. The Senator from Washington mentioned the fact that he was sure the administration approved of the general idea. I am sure the Senator is aware that after a group of Senators talked with the administration, when the import rate had risen to 4 billion pounds of dairy equivalent a year, the President did exercise his authority—I believe the Senator from Washington was there at the time the President announced it,

in the White House—and reduced it to 1 billion pounds a year.

Mr. MAGNUSON. The Senator is correct.

Mr. NELSON. This actually would formalize in the statute the same proposal that the White House has already endorsed by Executive order.

Mr. MAGNUSON. And they have expressed an opinion that they would endorse proposed legislation that would do the same thing.

Mr. McGOVERN. The Senator is correct.

I believe the President deserves full credit for what he has accomplished by Executive order. This measure would give it legislative force, and it would close some of the unanticipated loopholes that have developed under the existing arrangement.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the distinguished Senator from Vermont.

Mr. AIKEN. Mr. President, a year ago last summer, the consumption and production of milk and dairy products in the United States was virtually in balance, and it looked as if we might be in for a long period of stability in the dairy industry. Then the importers—there are many of them—at least 34 importers, devised a means of importing dairy products—ice cream mix, you might say, and Colby cheese—in violation of what was supposed to be the rules of the Import Act. Before they could be stopped, they had reached a point, as stated by the Senator from Wisconsin, where they were importing the equivalent of 4 billion pounds of milk a year. They had completely thrown off the production-consumption balance. The Department of Agriculture had to buy over 8 billion pounds of milk equivalent in order to maintain the support price, the guaranteed price, in this country.

Then the President took a hand in the matter. Unfortunately, he asked the Tariff Commission to study the situation. It was natural for him to do that. The Tariff Commission was not a bit sympathetic to American farmers, and on July 1 the President had to override the Tariff Commission's recommendations and reestablish the import quota at the 1 billion pounds equivalent a year. But by that time so much damage had been done and so much of the imported goods had been put in storage that it would take a long time to get the market back into the proper balance again.

I commend the President for taking the action he took last summer. I hope he will take action again soon.

I wish to read one sentence from a ruling by the Food and Drug Administration, as reported in the Federal Register of March 22. They ruled as follows:

The department concludes that imported milk products in hermetically sealed cans so processed by heat as to prevent spoilage are not subject to the provisions of the Federal Import Milk Act.

In other words, the Food and Drug Administration, by this ruling, amends the law enacted by the Congress.

Mr. McGOVERN. That would be the

effect of opening the country to a flood of imports.

Mr. AIKEN. It would open the floodgates again to a situation that would contribute to the destruction of the American dairy industry.

I hope that the White House will take prompt action and go as far as it can in stopping this practice, which the ruling of the Food and Drug Administration would not only permit but would encourage.

It is not only evaporated milk that could come in, but also any other dairy product that had been hermetically sealed to prevent spoilage. It is a long step toward further destruction of the American dairy industry.

Mr. McGOVERN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point the ruling to which the Senator from Vermont referred. The document is entitled "Title 21—Food and Drugs."

There being no objection, the ruling was ordered to be printed in the RECORD, as follows:

TITLE 21—FOOD AND DRUGS

CHAPTER I—FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Subchapter A—General

Part 3—Statements of General Policy or Interpretation

Revocation

The Federal Import Milk Act prohibits importation of milk or cream unless the importer holds a valid permit from the Secretary of Health, Education, and Welfare. Milk or cream is considered unfit for importation unless the cows have been examined within the previous year and found healthy and free of tuberculosis and all dairy farms and plants involved have been found to meet certain sanitary requirements.

In a statement of policy (21 CFR 3.56) published in the FEDERAL REGISTER of September 10, 1966 (31 F.R. 11935), the Food and Drug Administration announced that the provisions of the Federal Import Milk Act apply to "all imported milk and cream, whether sterilized or not." Subsequently, objections received regarding § 3.56 were referred to the Department of Justice with a request for an opinion. That Department concludes that imported milk products in hermetically sealed cans so processed by heat as to prevent spoilage are not subject to the provisions of the Federal Import Milk Act.

Therefore, pursuant to the provisions of said act (secs. 1-9, 44 Stat. 1101-1103), as amended; 21 U.S.C. 141-149) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 2.120), Part 3 is amended by revoking § 3.56 *Imported canned heat-processed milk products under the Federal Import Milk Act.*

This action shall not be construed as exempting such products from any of the applicable provisions of the Federal Food, Drug, and Cosmetic Act or regulations promulgated thereunder.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER. (Secs. 1-9, 44 Stat. 1101-1103, as amended; 21 U.S.C. 141-149)

Dated: March 13, 1968.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 68-3480; Filed, Mar. 21, 1968;
8:47 a.m.]

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Mr. AIKEN. Mr. President, will the Senator yield further?

Mr. McGOVERN. I yield.

Mr. AIKEN. Mr. President, I would like to add that in New England, as far as is known, there was only one ice cream manufacturer last year who was using native cream alone in the manufacture of ice cream, and that was one cooperative in Vermont. They persisted in using our own cream. But the urge to import was great because on imported butterfat the importers could make 10 to 20 cents a pound profit more than they could on domestically produced butterfat. The consumer never received a nickle of benefits out of it; it all went into the profits of the importers and the processors.

The ice cream mix came principally from Belgium. I know that the Belgian Government warned its exporters against the violation of the U.S. import laws but the importers paid no attention and sent it in. They will give us the same treatment now if they are permitted to get away with it.

I would prefer not to add an amendment to the bill but I do not see any other way to do it now because the imports will start almost immediately since they have permission from the Food and Drug Administration.

Mr. McGOVERN. I think the Senator would agree that this legislation would have the effect of reinforcing what the President attempted to accomplish with an Executive order.

Mr. AIKEN. Yes; but I do hope that the Senate will take action promptly to block this attempt to circumvent the intent of the Congress and the President's proclamation.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. PROUTY. Mr. President, I wish to join my senior colleague in complimenting the distinguished Senator for introducing this amendment. I heartily favor the amendment. I know that it is essential to maintain the economy of our dairy producers.

I believe that this year the Vermont Legislature, by joint resolution, memorialized the Congress to support legislation of this kind.

I am sorry that the measure has to come in a tax bill, but I can see no alternative.

I am happy to join my senior colleague in supporting the amendment.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield.

Mr. YOUNG of North Dakota. Mr. President, all agriculture is in trouble financially today. The situation is understandable inasmuch as the prices for most farm commodities are lower today than they were 20 years ago, while the cost of everything farmers have to buy has increased.

Agriculture is still the biggest and most important segment of our economy. No segment of that economy has had more trouble than the dairy industry. It is a sick industry today.

The trouble is due in large part to im-

ports. In 1967, dairy imports reached 2.8 billion pounds milk equivalent. That amount of imports would ruin almost any industry.

This involves not only the amount of imports at any given time but also the uncertainty with respect to how much will be imported in the future. This is even more devastating price-wise.

On June 30, 1967, President Johnson issued a proclamation aimed at reducing imports of dairy products. He recognized the need that something must be done. At that time it was argued that this action would eliminate the need for legislation such as we are now considering. I did not agree with that assessment then and I do not today. That Presidential order is proving to be no more effective than previous such orders were in reducing and limiting imports. All that is needed is for the exporters in foreign lands to alter the makeup of their product somewhat and continue to pour their dairy products into our market.

What is needed is an import restriction that cannot be evaded—one that is simply defined and easily understood. This amendment would clearly define permissible import levels and eliminate the ever-present danger of skyrocketing levels of imports because of quota evasion through product variation.

Mr. President, this proposal is not aimed at shutting the door to imports or freezing the level of imports. It does permit continued imports and would allow expanded levels of imports if domestic demand expands.

This is reasonable and necessary legislation. It would be a tremendous boost to the domestic dairy industry and would help greatly in stemming the increasing flow of farmers out of the dairy business. The decreasing number of dairy farmers poses a direct threat to the stability and availability of supplies of these most essential food products. Thus, this legislation is also in the very best interests of the American consumer.

The PRESIDING OFFICER. (Mr. BYRD of West Virginia in the chair). The time of the Senator has expired.

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. McGOVERN. I yield 2 minutes to the Senator from North Dakota.

The PRESIDING OFFICER. The Senator from North Dakota is recognized for 2 additional minutes.

Mr. YOUNG of North Dakota. Mr. President, quotas are not new on farm commodities and especially dairy commodities. The first quotas were set in 1942.

Mr. President, I ask unanimous consent to have printed in the RECORD an excellent presentation made in behalf of this legislation by the National Milk Producers Federation in a pamphlet entitled "Invasion by Evasion." Specially, I ask unanimous consent to have printed in the RECORD the following material from that publication: The article on page 2 entitled "Import Controls Are Indispensable," the article on page 3 entitled "Brief History of Dairy Imports," the chart on page 4 entitled "Import

Quotas Established by Presidential Proclamation 3019, Effective July 1, 1953, and Milk Equivalent—Fat Base," the article on page 5 entitled "Invasion by Evasion," the article on pages 7 and 8 entitled "Legal Background of Import Controls," and the article on pages 9 and 10 entitled "Dairy Import Act of 1967."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IMPORT CONTROLS ARE INDISPENSABLE

Effective control of dairy imports is indispensable to dairy farmers and of vast long-range importance to the general public.

Effective import controls are necessary in order that farmers may have an opportunity to achieve parity prices for their milk and butterfat. Achievement of parity prices as a goal of national public policy is clearly set forth in all major agricultural legislation, including the Agricultural Adjustment Act of 1933, the Agricultural Marketing Agreement Act of 1937, and the Agricultural Act of 1949. This parity price goal cannot be attained if large scale imports are permitted because they either will (1) render the price support program ineffective, or (2) involve the government in the purchase of such large volumes of products displaced by imports so as to cause the discontinuation of the program.

Effective import controls are necessary to provide dairy farmers a level of income commensurate with that received by other segments of our economy, and to enable farmers to maintain a strong and progressive industry in the face of ever-increasing costs. Prices to farmers for milk and butterfat last reached the parity level in 1952. Since that time they have been considerably below parity. In four of the last five years they have barely been above 75 percent of parity.

Effective import controls are necessary also to assure an adequate supply of fluid milk and other dairy products for our growing population, to meet our needs for national defense and security, to meet the critical needs of our government for use in foreign nations as an integral part of our foreign policy, and to provide for essential uses within the United States. If imports are allowed to impair our production capacity, it cannot be quickly restored.

Effective import controls are necessary to provide an opportunity for U.S. dairy farmers operating in our high-price and high-wage economy to compete free from inroads of large supplies of foreign products made cheap through subsidy arrangements. In the common market countries minimum import prices for butter range from a low of 70 cents per pound in the Netherlands to 94 cents per pound in Belgium and Luxembourg. Such prices are maintained by import levies. These same nations export butter at prices as low as 20 cents per pound.

Effective import controls are necessary to neutralize the great pressures which are generated by the vast difference in subsidized world market prices and the prices which public policy demands be received by American dairy farmers.

BRIEF HISTORY OF DAIRY IMPORTS

Imports will show an increase of 567 percent—almost 7 times above 1953—if U.S.D.A. estimates of dairy product imports for 1967 are realized. Last year imports showed a startling increase. Whereas from 1953–1965 the increase in imports was 75 percent, in 1966 this jumped to 433 percent.

The first dairy proclamation under Section 22, issued in 1953, established annual quotas equal to 189 million pounds of milk equivalent in the form of dairy products. In that year total imports were 525 million pounds. U.S.D.A. estimates that in excess of 3½-billion pounds of milk equivalent will be imported in 1967.

IMPORT QUOTAS ESTABLISHED BY PRESIDENTIAL PROCLAMATION 3019, EFFECTIVE JULY 1, 1953, AND MILK EQUIVALENT (FAT BASIS)

Product	Quota (pounds)	Milk equivalent (pounds)
Cheese:		
Cheddar.....	2,780,100	27,244,980
Blue mold.....	4,167,000	37,890,531
Italian.....	9,200,100	73,416,798
Edam and Gouda.....	4,600,200	34,869,516
Total, cheese.....	20,747,400	173,421,825
Butter:		
Dried cream.....	707,000	15,235,850
Malted.....	500	9,300
Dried whole.....	6,000	15,900
Dried skim milk.....	7,000	51,450
Dried buttermilk.....	1,807,000
	496,000	709,280
Total, milk equivalent of quotas.....		189,443,605

INVASION BY EVASION

Quotas intended to limit entry of dairy products into the U.S. were established July 1, 1953, by Presidential Proclamation 3019. The proclamation reasonably could have been expected to have established maximum quantities of dairy products which may be imported.

The ink on the proclamation was scarcely dry, however, before exporters abroad and importers within the U.S. quickly discovered that import quotas were easy to circumvent and reprisals by the executive branch would not result from such circumvention. It was soon found that any product—irrespective of whether it had ever been imported or even existed—could be imported in unlimited amounts. Such imports establish a "history of imports" which was useful to foreign exporters and U.S. importers in later establishment or enlargement of quotas.

The first overt circumvention of established quotas involved the splitting of "loaves" of Italian-type cheese. The original quotas specified in the original proclamation, entered the market. The import quotas as established were not full or effective since cheese imports outside the quotas exceeded those permitted by a ratio of 3 to 2 the first year.

The tug of war over cheese imports continues to this day. At present the big noncontrolled item is Colby cheese, a product particularly identical to Cheddar cheese. Colby cheese is entering the country at a rate ten times the volume established as a quota for cheddar.

When Section 22 of the Agricultural Adjustment Act was invoked July 1, 1953, imports of butter were limited to 707,000 pounds annually, but this was circumvented immediately by the importation of butteroil, a product not previously imported. After much urging and a hearing, the Tariff Commission established an import quota on butteroil at 1,200,000 pounds annually. Total imports of butterfat (as butter and butteroil) thus became nearly three times as great as intended when the 707,000-pound quota was established.

Once the quota for butteroil was made effective, evasion and circumvention of such quotas took the form of butterfat-sugar mixtures.

Eylone, the first product of this type to be imported, was used principally in the ice cream trade as a replacement for domestic cream. The domestic cream, of necessity, was churned into butter for sale to the government under the price support program at lower returns to dairy farmers.

The Tariff Commission held another hearing. This time, however, it relied upon a representative period predating imports of Eylone, and established a quota for Eylone at zero.

In barring imports of Eylone, however, the regulation applied only to products containing 45 percent or more of butterfat. The dairy industry argued that this limitation would merely invite new imports in mixtures con-

taining less than 45 percent butterfat. This happened at once.

A new mixture, called Junex, promptly made its appearance. Junex contained 44 percent butterfat and 55 percent sugar. In 1966 alone, 104.5 million pounds entered the United States, dwarfing the quota on butter and butteroil to meaningless terms.

As a substitute for action under Section 22, the executive branch negotiated with Australia, Ireland, and New Zealand, limiting imports for Colby cheese, cream and butterfat-sugar mixtures, all nonquota products, in 1962 through 1964. These agreements could not bind nonsignatory countries. As shipments from the latter countries increased, the agreements were abandoned. In mid-1966 the Secretary of Agriculture promulgated regulations under the Sugar Act limiting the importation of products containing 25 percent and more of sugar.

This regulation, too, proved ineffective. Mixtures containing 44 percent butterfat, 24 percent sugar, and 31 percent nonfat milk solids were at sea before the regulation was issued. In 1966 imports of butterfat-sugar mixtures displaced a market for U.S. dairy farmers equal to 10 percent of total ice cream production.

Imports of dairy products thus continued to increase. The U.S. Department of Agriculture predicts that the total of imports in 1967 will approximate 3.5 billion pounds of milk (calculated on a butterfat basis). This level of imports is 12 times the total authorized by import quotas.

LEGAL BACKGROUND OF IMPORT CONTROLS

In earlier years the dairy industry in the United States was largely self-sufficient, and the small differences in domestic and foreign prices were offset by modest tariffs.

Following World War I, the butter tariff was increased from 2.5 cents to 12 cents per pound to reflect increasing price differentials. The Tariff Act of 1930 set the tariff rate at 14 cents per pound on butter with corresponding rates on other dairy products. Although these were fixed rates, they operated effectively for several years.

These tariff rates were subsequently reduced to inadequate levels under the trade agreement acts. The reduced tariffs were unrealistic in that they failed to take into account the substantial price differences which were developing between domestic and world price levels for dairy products.

The tariff reductions were not correlated with the programs of the Department of Agriculture and the results were at cross purposes. Moreover, ready use by foreign nations of heavy export subsidies, currency devaluation, exchange manipulations, and similar practices operated to render fixed tariff rates practically meaningless and to require the use of import quotas.

Import quotas were imposed on major dairy products in 1942 under the Second War Powers Act. This was done primarily to keep fats needed in the allied countries from being drawn to the high-priced American market, and to help carry out an international allocation of dairy products.

These controls continued in part through 1948. Later, in the 1949–51 period, imports of butter were controlled under special legislation to permit the orderly liquidation of stocks the government had acquired under the support program.

To prevent excessive imports from resulting in unnecessary expenditures under the price support program, Congress in 1951 authorized import quotas in Section 104 of the Defense Production Act. These controls were maintained until 1953, when they were shifted to Section 22 of the Agricultural Adjustment Act.

Section 22 of the Agricultural Adjustment Act was enacted back in 1935 as a part of the agricultural programs designed to provide fair returns to agricultural producers as

measured in terms of parity prices. Its purpose was to assure that the government programs would not be rendered ineffective by imports. It was materially strengthened in 1951 when Congress amended it to state clearly and forcefully that the protection which it had authorized for the agricultural programs would take precedence over the trade agreements.

Although Section 22 has been available since 1935, it was not until 1953 that use of it was made to protect the agricultural programs provided by Congress for dairy farmers.

Since that time, the controls set up in 1953 have been continuously eroded because administration of the section has been weak and ineffective.

Particularly in more recent years, evasion of the import controls has become a popular and profitable pastime for importers and foreign nations. Huge quantities of imports are being brought into the country in open and flagrant evasion of the import quotas.

These have resulted in millions of dollars of added and unnecessary cost to the dairy price support program, and they are interfering substantially with the attainment of the goal of the program which is parity prices in the marketplace.

DAIRY IMPORT ACT OF 1967

The National Milk Producers Federation, after careful study and consultation with members of Congress, developed a new import control program which was incorporated in a bill introduced last year by Senator Proxmire and 21 other Senators. Numerous similar bills were introduced in the House.

Legislation has now been introduced in the new Congress, and the Federation will make an all-out fight for its passage. This will not be an easy task, since it must be assumed that there will be strong opposition. The bill should be supported because it sets a fair guideline under which government and industry can operate.

Opposition will arise in spite of action by other nations, such as those in the European Common Market, to protect their own agriculture, and in spite of tremendous differences between our domestic prices and world export prices which make free trade concepts with respect to dairy products completely visionary and unrealistic.

The legislation proposed would use as a base the average annual quantities of butterfat and nonfat milk solids imported during the five calendar years 1961-65. 1966 would not be included in the base because it was not a normal year. Heavily subsidized exports of surplus production in foreign nations, coupled with price increases in this country needed to stop a dangerous decline in domestic production, resulted in abnormally large volumes of imports of evasion-type products during 1966. The same condition threatens serious harm to American dairy farmers in 1967, unless Congress acts to fix a limit on imports under this legislation.

The 1961-65 average would be an automatic control and would not require lengthy and unsatisfactory Tariff Commission proceedings as under present law.

The controls would be flexible as between products and countries, subject to the overall limitation that the annual total of all dairy-product imports could not exceed the 1961-65 average. This would permit recognition of any legitimate new dairy products which might be developed while at the same time preventing evasion.

Provision is made to permit the President to authorize additional imports in the national interest. If additional imports are admitted under this provision, at a time when dairy prices are below parity, a corresponding quantity of dairy products would be removed from the domestic market. This would permit the market to respond to domestic market forces and help attain the goal of the agricultural program authorized by Congress,

which is parity prices in the marketplace for American dairy farmers.

The bill also provides that as the domestic market expands due to population or other factors, the import total would increase in the same ratio.

Thus foreign countries would share in the growth of the United States market in the same relative proportion as our own farmers, but their exports to this country could not grow by displacing domestic production. This would prevent serious impairment of our dairy industry which is much too important to our national economy and national security to be sacrificed for concepts of free trade which, so applied to the dairy industry, are unrealistic and impractical.

Most important, the new bill would put an end to the subterfuge and evasion practiced under the present inadequate import controls.

Furthermore, a definite and known level of imports would be established to which the market could adjust and on which our own farmers and foreign countries could make sound future plans.

Mr. COTTON. Mr. President, will the Senator yield for one-half minute?

Mr. McGOVERN. I yield.

Mr. COTTON. Mr. President, as a person who was born and reared on a dairy farm and who has watched the depletion of the dairy industry in my State, which used to be one of its leading activities, I commend the Senator. I am glad that he and other Senators associated with him are striking a blow to save this industry.

Mr. President, as a cosponsor of the dairy import bill, I associate myself with them in this amendment.

Mr. McGOVERN. I thank the Senator from New Hampshire.

Mr. NELSON. Mr. President, will the Senator yield for a question?

Mr. McGOVERN. I yield.

Mr. NELSON. It is clear in the amendment pending before us that it would not freeze the situation, and freeze an import quota; but that it allows for a growth factor as the increase in the total amount of consumption of dairy products grows greater in this country.

Mr. McGOVERN. Yes. As the consumption pattern increases, assuming that it will, as our population grows, or for whatever cause, the quota would be raised proportionately in amount to allow for the additional demand.

Mr. NELSON. It is correct, is it not, that over a period of years the Department of Agriculture has been advising and suggesting the dairy industry cut its production so that it will have a balance as between production and demand in this country?

Mr. McGOVERN. The Senator is correct.

Mr. NELSON. During a relatively brief period of time, in the past 3 or 4 years—I do not have the exact figure before me, but during a relatively brief period of time—milk production has been cut from the 126-billion-pound mark last year, to the 120-billion-pound mark. But, in the meantime, imports ballooned to replace in substance what was cut back by the farmers in this country. In recognition of this, the President did set in order 1 billion pounds of importation of dairy products or equivalent; is that not correct?

Mr. McGOVERN. The Senator is correct. I might say to the Senator that for

many years other countries have provided this kind of protection to their dairy producers. The Senator from Wisconsin knows that we are not asking for something for our own producers which has not been available for a long time to the dairy producers in other countries.

There are two reasons for that; one, to protect their own domestic dairy industry and, two, to protect their balance of payments.

I am advised that the dollar drain on our balance of payments by dairy imports is something over \$36 million a year for dairy imports that are not really needed in this country. They increase the burden on our dairy producers and on our price support mechanisms in addition to complicating the balance-of-payments position.

Mr. AIKEN. May I add that as a result of the deluge of imports in violation of the Milk Act, our own Government had to purchase the equivalent of 8 billions pounds of milk in the price support program. That meant several hundred million dollars of expense to this Government in addition to whatever it may have lost in the balance of payments.

Mr. McGOVERN. Yes. The Senator makes a very good point. I have been concerned for a long time with our food-for-peace program and the use of surplus commodities in this country to reduce hunger in the world. But, it seems to me, with so many food deficits in many of the developing countries of the world, that it makes no sense to export surplus food to the United States where we already have so much food that it is depressing the markets and adding to the cost of the price-support operation.

I think it would be better taken if some of those exporting dairy products to the United States would join us in sending commodities to those areas where there is a food deficit which will assist us in the so-called war on hunger. There is a strong moral argument to be made here, in addition to the economic appeal to protect our dairy producers. It is in the interest of the world as a whole to send food to countries which are short of it and not send surpluses here where we have more than enough.

Mr. AIKEN. One more thing that disturbs me even more is that when Congress enacts legislation, in the Senate at least, there is an agency of the Government that will go to work in an attempt to circumvent that legislation. We seem to have it in this case. Those people know perfectly well that evaporated milk is a dairy product that comes from milk. They must know it comes from a cow. But, I am not sure.

Anyway, it is a deliberate attempt to circumvent the intent of Congress and I think we should put a stop to it, so far as it lies within our power. However, I am sure that they will then go to work and try to figure some other way.

Mr. McGOVERN. I thank the Senator for his comments.

Mr. President, I have nothing further to say on this legislation. I am prepared to yield back the remainder of my time.

Mr. HARRIS. Mr. President, I have a great many dairymen in my State, and I know and am concerned about the pressures they feel from dairy imports. I have

been trying my best to help them. But the adoption of this amendment is not the way to help them; it does not belong in this bill and will surely be dropped in conference.

As I said in opposition to the textiles quota amendment, these matters are serious enough to require their consideration in a regular, orderly and careful manner.

Lastly, if we are going to add this amendment, then I fear there will be a flood of other such amendments, accomplishing nothing except damage to our chances to improve our balance of trade and help American agriculture and industry.

Mr. CHURCH. Mr. President, America's dairy farmers have been burdened with unfair competition from heavily subsidized imports. They have not been sharing in the prosperity of this country. It's time they had a chance to do so.

This amendment, which I am pleased to cosponsor, would limit dairy imports to the average of the 1961-65 period.

Mr. President, dairy farmers are getting tired of paper gestures which have been used in the past to discourage Congress from enacting permanent import controls. The present system of setting import levels has been marred by a long history of evasion on the part of importers.

The Food and Drug Administration recently ruled that evaporated milk is not covered by the Federal Import Milk Act. This means that importers will be able to turn surplus milk into evaporated products and evade the quotas which the President proclaimed last July.

This flagrant evasion must stop. Our dairy farmers need legislative protection against excessive imports in order to enjoy a stable market for their milk and dairy products.

Other countries have for many years controlled their imports—not only to protect their own industry, but to conserve their balance-of-payments positions as well. They cannot object to our doing the same thing.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator from Louisiana is recognized for 2 minutes.

Mr. LONG of Louisiana. Mr. President, we already have quotas on dairy imports. I hold in my hand the President's proclamation of June 30, 1967, pertaining to quota limitations on dairy imports, which is in line with the legislation on that subject to which the Senator has made reference. It was issued pursuant to the terms of section 22 of the Agricultural Adjustment Act.

I ask unanimous consent to have the President's proclamation printed in the RECORD.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT ON DAIRY IMPORTS, JUNE 30, 1967

I have today signed a proclamation which will reduce dairy imports to the normal level which prevailed before 1966. On the basis of these new quotas, annual imports will be approximately one billion pounds of milk equivalent.

This action has been taken on the recom-

mendation of the Vice President, the Secretary of State, the Secretary of Agriculture, the Chairman of the Council of Economic Advisors and the Director of the Bureau of the Budget, and numerous members of Congress concerned.

Dairy imports from 1961 through 1965 averaged 850 million pounds of milk equivalent annually, 1965 imports were 900 million pounds. The level established by this action will permit us to meet all existing international commitments and will restore dairy imports to historic and normal levels.

This action is of benefit to all Americans: It will help the dairy farmer to obtain a fair return.

It will save tax dollars of between 100 and 200 million annually from lower government purchases of dairy products.

It will provide the consumer with more stable domestic production at no increase in milk prices.

It will still permit us to honor our trade commitments to other nations.

A PROCLAMATION BY THE PRESIDENT OF THE UNITED STATES OF AMERICA AMENDING PART 3 OF THE APPENDIX TO THE TARIFF SCHEDULES OF THE UNITED STATES WITH RESPECT TO THE IMPORTATION OF AGRICULTURAL COMMODITIES

Whereas, pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624), limitations have been imposed by Presidential proclamations on the quantities of certain dairy products which may be imported into the United States in any quota year; and

Whereas, in accordance with section 102 (3) of the Tariff Classification Act of 1962, the President by Proclamation No. 3548 of August 21, 1963, proclaimed the additional import restrictions set forth in part 3 of the Appendix to the Tariff Schedules of the United States; and

Whereas the import restrictions on certain dairy products set forth in part 3 of the Appendix to the Tariff Schedules of the United States as proclaimed by Proclamation No. 3548 have been amended by Proclamation No. 3558 of October 5, 1963, Proclamation No. 3562 of November 26, 1963, Proclamation No. 3597 of July 7, 1964, section 88 of the Tariff Schedules Technical Amendments Act of 1965 (79 Stat. 950), and Proclamation No. 3709 of March 31, 1966; and

Whereas, pursuant to said section 22 the Secretary of Agriculture advised me there was reason to believe that the dairy products described hereinafter are being imported, and are practically certain to be imported, under such conditions and in such quantities as to render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

Whereas, at my request, the United States Tariff Commission has made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, with respect to this matter and related questions outlined in my request for an investigation and has reported to me its findings and recommendations made in connection therewith; and

Whereas, on the basis of such investigation and report, I find that the articles described below are being imported and are practically certain to be imported into the United States under such conditions and in such quantities as to materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat:

(1) American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese;

(2) Articles containing over 5.5 percent but not over 45 percent by weight of butterfat which are classifiable for tariff purposes under item 182.91 of the Tariff Schedules of

the United States (TSUS), the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article); and

(3) Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat; and

Whereas, on the basis of such investigation and report, I find and declare that for the purpose of the first proviso to section 22(b) of the Agricultural Adjustment Act, as amended, the representative period for imports of such articles is the calendar years 1961-1965; and

Whereas, on the basis of such investigation and report, I find and declare that changed circumstances require that the section 22 quotas on dairy products be changed to a calendar year basis, with semiannual allocations when the yearly quota is periodically allocated; and

Whereas, at my request, the United States Tariff Commission has also made an investigation under the authority of section 22 of the Agricultural Adjustment Act, as amended, to determine whether an additional quantity of Cheddar cheese could be imported without materially interfering with the price support program and has reported to me its findings and recommendations made in connection therewith; and

Whereas, on the basis of such investigation and report, I find and declare that changed circumstances require the modification, as hereinafter proclaimed, of the quota on Cheddar cheese, and cheese and substitutes for cheese containing, or processed from Cheddar cheese; and

Whereas, on the basis of such investigations and reports, I find and declare that the imposition of the import restrictions hereinafter proclaimed is necessary in order that the entry, or withdrawal from warehouse, for consumption of such articles will not render or tend to render ineffective, or materially interfere with the price support program now conducted by the Department of Agriculture for milk and butterfat;

Now, therefore, I, Lyndon B. Johnson, President of the United States, acting under and by virtue of the authority vested in me as President, and in conformity with the provisions of section 22 of the Agricultural Adjustment Act, as amended, and the Tariff Classification Act of 1962, do hereby proclaim that part 3 of the Appendix to the Tariff Schedules of the United States is amended as follows:

“(1) headnote 3(a) is revised to read as follows:

“3. (a) Dairy Products.

“(1) imported articles subject to the import quotas provided for in items 950.01 through 950.11, except 950.06, may be entered only by or for the account of a person or firm to whom a license has been issued by or under the authority of the Secretary of Agriculture, and only in accordance with the terms of such license; except that no such license shall be required for up to 1,225,000 pounds per quota year of natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months which prior to exportation has been certified to meet such requirements by an official of a government agency of the country where the cheese was produced, of which amount not more than 612,500 pounds may be entered during the period July 1, 1967, through December 31, 1967, or during the first six months of a quota year. Such licenses shall be issued under regulations of the Secretary of Agriculture which he determines will, to the fullest extent practicable, result in (1) the equitable distribution of the respective quotas for such articles among importers or users and (2) the allocation of shares of the respective quotas for such articles among supplying countries, based upon the propor-

tion supplied by such countries during previous representative periods, taking due account of any special factors which may have affected or may be affecting the trade in the articles concerned. No licenses shall be issued which will permit entry during the first six months of a quota year of more than one-half of the quantities specified for any of the cheeses or substitutes for cheese (items 950.07 through .10) in the column entitled "quota Quantity."

"(ii) not more than 4,406,250 pounds of the quota quantity specified for articles under item 950.08 for the period July 1, 1967, through December 31, 1967, and not more than 8,812,500 pounds of the annual quota

quantity specified in such item for each subsequent 12-month period shall be products other than natural Cheddar cheese made from unpasteurized milk and aged not less than 9 months."

"(2) The superior heading preceding items 950.00 through 950.13 of part 3 is changed to read as follows:

"Whenever, in any 12-month period beginning January 1 in any year, the respective aggregate quantity specified below for one of the numbered classes of articles has been entered, no article in such class may be entered during the remainder of such period."

"(3) Item 950.01 is added preceding item 950.01 which reads as follows:

" 950.00	Milk and cream, fluid or frozen, fresh or sour, containing over 5.5 percent but not over 45 percent by weight of butterfat:	
	For the 12-month period ending Dec. 31, 1967:	
	New Zealand.....	The quantity entered on or before June 30, 1967, plus 750,000 gals.
	Other.....	None.
	For each subsequent year:	
	New Zealand.....	1,500,000 gals.
	Other.....	None."

"(4) Item 950.08 is amended to read as follows:

" 950.08A	Cheddar cheese and cheese, and substitutes for cheese containing, or processed from, Cheddar cheese:	
	For the 12-month period ending Dec. 31, 1967.....	The quantity entered on or before June 30, 1967, plus 5,018,750 lbs. (See headnote 3(a)(ii) of this part.)
	For each subsequent 12-month period.....	10,037,500 lbs. (See headnote 3(a)(ii) of this part.)

"(5) item 950.0810 is added following item 950.08, which reads as follows:

" 950.08B	American-type cheese, including Colby, washed curd, and granular cheese (but not including Cheddar) and cheese and substitutes for cheese containing, or processed from, such American-type cheese:	
	For the 12-month period ending Dec. 31, 1967.....	The quantity entered on or before June 30, 1967, plus 3,048,300 lbs.
	For each subsequent 12-month period.....	6,096,600 lbs.

"(6) item 950.12 is divided into two items and is amended to read as follows:

"Articles containing over 5.5 percent by weight of butterfat, the butterfat content of which is commercially extractable, or which are capable of being used for any edible purpose (except articles provided for

in subparts A, B, C or item 118.30, of part 4, Schedule 1, and except articles imported packaged for distribution in the retail trade and ready for use by the purchaser at retail for an edible purpose or in the preparation of an edible article):

" 950.12	Over 45 percent by weight of butterfat.....	None.
950.13	Over 5.5 percent but not over 45 percent by weight of butterfat and classifiable for tariff purposes under item 182.91:	
	For the 12-month period ending December 31, 1967:	
	Australia.....	The quantity entered on or before June 30, 1967, plus 1,120,000 lbs.
	Belgium and Denmark (aggregate).....	The quantity entered on or before June 30, 1967, plus 170,000 lbs.
	Other.....	None.
	For each subsequent 12-month period:	
	Australia.....	2,240,000 lbs.
	Belgium and Denmark (aggregate).....	340,000 lbs.
	Other.....	None."

In witness whereof, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

Done at the City of Washington this 30th day of June in the year of our Lord nineteen hundred and sixty-seven, and of the Independence of the United States of America the one hundred and ninety-first.

LYNDON B. JOHNSON.

By the President:

DEAN RUSK,
Secretary of State.

[From the U.S. Department of Agriculture, Washington, June 30, 1967]

PRESIDENT ACTS TO RESTRICT DAIRY IMPORTS

Imports of dairy products will be reduced to one-fourth the present volume beginning July 1, 1967, under a proclamation issued today by President Johnson which will place import quotas on a number of dairy products for the first time.

Hailing the action as promising "long-sought relief both to dairy farmers and the taxpayer," Secretary of Agriculture Orville L. Freeman pointed out that dairy imports would be cut from an annual rate of nearly 4.3 billion pounds milk equivalent currently to about 1 billion pounds.

Since Jan. 1 through June 27, the Secretary noted, USDA purchases under the dairy price support program are 208 million pounds

of butter, 101.9 million pounds of cheese, and 379 million pounds of dry milk—or the milk equivalent of 5.5 billion pounds—at a cost of \$265.6 million.

Dairy imports have increased sharply from about 900 million pounds milk equivalent in 1965 to 2.8 billion pounds in 1966 and are running at an annual rate of nearly 4.3 billion pounds during the first half of 1967. Most of the increase has been in the form of butterfat/sugar mixtures used in ice cream manufacture, and Colby cheese, a cheddar-like cheese used mainly in manufacturing process American cheese.

The Proclamation, issued under the authority of Sec. 22 of the Agricultural Adjustment Act, as amended, will result in an overall annual level or dairy imports of around one billion pounds of milk equivalent. This will bring imports to less than 1 percent of domestic milk production, which currently is running at about 121 billion pounds annually.

The cutback in imports will be achieved by bringing the high-volume items under the existing import quota system for the first time. These items include the butterfat/sugar mixtures, such as Junex; Colby and other American types of cheese other than Cheddar (which is now under quota); and frozen cream. Butter, butteroil, dried milks, certain competitive cheese, and other dairy products already are imported under quotas. Certain

items with limited markets, including chocolate crumb, processed Edam and Gouda, and processed Italian-type cheese will not be placed under the quotas system.

Secretary Freeman emphasized that the Presidential Proclamation will result in a volume of imports substantially below the overall level recommended by the Tariff Commission. Under Sec. 22, the President directs the Commission to investigate the impact of imports on domestic farm programs and to report its findings and recommendations to him. The Commission report, which is being made public today, recommends quotas under which total imports would have been around 2.8 billion pounds milk equivalent, or about the 1966 level.

"The President could not accept that recommendation," Secretary Freeman said, "since it would add about \$100 million annually to the cost of the dairy price support program compared with the level proclaimed by the President."

The Secretary welcomed the President's action as a measure which "will help relieve the cost-price squeeze which dairy farmers particularly have felt in recent years."

"The upsurge of imports—made up largely of low-priced products specifically manufactured to avoid our import quotas—has greatly aggravated that condition."

"The President's action will end an intolerable situation where both the farmer and the taxpayer have lost, and where the consumer has gained no discernible benefit."

According to the Proclamation, effective July 1, 1967, annual imports of all American-type cheese will be limited by quotas to a total of approximately 16 million pounds. This includes an increase in the previous Cheddar cheese quota of about 2.8 million pounds, as well as a new quota for Colby and other American-type cheese, and a separate quota of 1,225,000 pounds for Cheddar aged 9 months or more. By comparison, 1966 imports of Colby cheese alone were 46.8 million pounds. In the first half of 1967, Colby imports were about 50 million pounds.

Butter fat/sugar mixtures will be restricted to 2,580,000 pounds annually. This figure is only a fraction of the 106 million pounds imported in 1966 and is approximately the 1961-1965 average before the import surge began.

Frozen cream also will be brought under quota. The limit is set at 1.5 million gallons annually.

Secretary Freeman called the new Proclamation "a vital move in our continuing effort to assist the dairy farmer by bringing production and supply into a healthy relationship with demand." He also noted that the new commodity descriptions called for by the Proclamation should effectively foreclose the type of wholesale quota evasions which prompted the Administration's Sec. 22 action.

Quota shares (by country) for American-type cheese will be announced later. Secretary Freeman stated that, "I have been directed by the President to allocate the quotas among the supplying countries, taking into account trade during the representative period and any special factors involved."

Detailed regulations covering licensing procedures and related matters will be issued by the Department of Agriculture in the near future. All firms now eligible for dairy import licenses, as well as firms on record as desiring an import license, will be notified of the new regulations and license-application procedures, which will also be published in the Federal Register.

Mr. LONG of Louisiana. Now, Mr. President, I understand that the Senator is not satisfied with the President's proclamation and that he feels that more should be done on the subject. Perhaps he is correct. I am not the best witness of that because I certainly am no expert, as are some of those who have studied this matter more deeply than I.

Jurisdiction over this matter lies in the

Committee on Agriculture and Forestry. It is an agricultural issue which has historically been handled by the House Committee on Agriculture, and by the Senate Committee on Agriculture and Forestry.

I have before me a bill by the Senator from Wisconsin [Mr. PROXMIER] and many other sponsors—I have not counted the number, perhaps it is the same 60 to which the Senator from South Dakota [Mr. MCGOVERN] made reference. The number of the bill is S. 612. That bill was referred to the Committee on Agriculture and Forestry which, of course, has jurisdiction over that legislation as does the equivalent committee on the House side.

Mr. AIKEN. Mr. President, we are not dissatisfied with the President's proclamation of last June 30. What we are mad about now is that an agency of the Government can thwart the intent of the President as well as Congress. I do not think the President will like it, either. It seems to be a sharp practice to think that these speculators can make a few million dollars without much work and have a Government agency to smooth the way for them.

Mr. MCGOVERN. We can all understand the feelings of the Senator from Vermont. The Food and Drug Administration took evaporated milk and condensed milk out of the President's order, and that is one of the reasons for this amendment, we must close that loophole. I frankly praise the President for what he is trying to do. We are trying to reinforce his efforts.

Mr. NELSON. Mr. President, I support this amendment to place permanent restrictions on all dairy imports. The Presidential proclamation of last summer was a positive step in the right direction.

But loopholes still exist. Massive imports of foreign dairy products not covered by the President's action are streaming into the country. Evaporated milk, condensed milk, milk crumb, and certain specialty cheeses, all excluded from the proclamation, are now entering the country at record high levels.

Farmers have been told time after time that if they reduce their production and get supply in better balance with demand, the result would be better prices. But, the events of the past few years have proven that this is not to be correct for our dairy farmers.

In 1966, dairy farmers cut milk production to barely 120 billion pounds nationally, more than 3 percent less than the previous year. But prices stayed down because imports ballooned from only 900 million pounds in 1965 to 2.7 billion pounds in 1966 and reached an import rate of 4 billion pounds a month in 1967 prior to the Presidential order limiting imports to 1 billion pounds per year. This dairy import explosion wiped out any chance of improving dairy prices.

This recent experience has clearly demonstrated that we need permanent comprehensive controls on dairy imports. Otherwise, our own American dairy industry is destined for elimination or take over by huge factory dairy farms, operated by corporations.

In the last 15 years, the number of farms selling whole milk nationally has

dropped from more than a million to some 500,000 today. Current reports from Wisconsin indicate that farmers there are leaving dairying at a rate of 50 per week.

The number of dairy cows in the United States dropped to a record 13,800,000 in December, the lowest figure in this century. In my own State of Wisconsin, our milk cow population has fallen below the 2 million mark for the first time since the 1930's.

These downward trends have forced national milk production down to below 120 billion pounds last year.

Domestic dairy prices have been drastically depressed by the record high foreign imports in 1966 and in 1967. While imports totaling some 900 million pounds of milk equivalent were shipped to the United States in 1965, the volume shot up to 2.7 billion last year. Sources indicate that current estimates for 1967 reach 4 billion pounds.

The 2.7 billion pounds was the same as 300,000 additional dairy cows producing milk in the United States, or 6,000 more dairy farms. However, instead the Nation lost twice that number of dairy cows and more than seven times that number of dairy farms.

If dairy imports had not increased last year, income to dairy farmers would have been increased by up to \$640 per farmer, adding \$185 million to gross national dairy income.

Produced and processed under cheap labor and questionable sanitary conditions, these foreign dairy imports drive down domestic prices for our family farmers here in the United States.

The results of continuously low dairy prices are plainly evident. In 1964, there were 641,000 family farms selling milk and cream in the United States. As of last year, that number had been reduced to 460,000 farms.

In my home state of Wisconsin—America's Dairyland—we lost 1,039 dairy farmers between May and September of last year alone. We now have less than 70,000 dairy farms in the entire State, where 132,000 existed in the 1950's.

Milk production on family dairy farms is at its lowest level in 15 years as tens of thousands of farmers are leaving dairying every year. Last year, milk production dropped below 120 billion pounds for the first time since 1952, 5 percent less than the 1961-65 average. Wisconsin milk production was off 2 percent from the previous year.

There is always going to be a demand by our Nation's families for pure, nutritious Grade A milk. If family farms cannot stay in business and produce it, then corporation farms will certainly take over with consumers paying royally for dairy products.

Today's American family farm is the most efficient and effective producer of food in the world. That is the reason why American consumers pay a smaller share of their income for food than anyone else in any other country.

But our family dairy farmers need a better return on their investment of labor and capital. The Wisconsin dairy farmer producing the milk realizes a \$1 or \$1.25 an hour for his labor with a \$75,000 investment while the Chicago milkman delivering the milk earns more than \$3.50

an hour with little or no investment. Many people do not realize that the Wisconsin dairy farmer receives only about 9 cents per quart for the milk he produces.

It is abundantly clear that the prices that our family farmers are receiving for the milk they produce are inadequate to keep pace with rapidly increasing production costs.

Ten years ago a Wisconsin dairy farmer could buy a new three-plow tractor by producing and selling 92,000 pounds of milk. Today, he must produce and market 97,300 pounds of milk to purchase the very same tractor.

Hiring a farmworker for a single day cost the dairy farmer the equivalent of 255 pounds of milk in 1958. Today, he must produce and sell 280 pounds to employ the same worker for the same period of time.

In making spot checks on imported food last year, the Food and Drug Administration found that more than 10 percent of imported foreign dairy products were contaminated, adulterated or otherwise unfit for human consumption. This is a continuing health hazard for consumers as well as being grossly unfair to our dairy farmers whose pure, wholesome products compete with them in the market place.

American dairymen must invest thousands of dollars in equipment and facilities to meet local, State and Federal health regulations. But, there are no comparable sanitary requirement for the production of foreign dairy imports. The extra cost that American producers must pay to insure the sanitary quality for domestic products gives the unregulated foreign product its vital price advantage in the marketplace.

My Foreign Dairy Inspection Act would resolve this inequity by requiring foreign dairy farms and plants producing dairy products for importation to the United States to meet sanitary standards established by the U.S. Government.

Mr. LONG of Louisiana. Mr. President, as I have pointed out before, the press has labeled the pending bill an "Easter basket" bill because it has picked up so many amendments not really related to the subject of the legislation brought before the Senate at the beginning, and on which, therefore, the committee had no opportunity to reach a conclusion.

This particular quota matter is one over which we really do not have jurisdiction. Historically, it has been a matter for the Committee on Agriculture and Forestry. I suspect that if the Senate saw fit to agree to this kind of amendment, the House Ways and Means Committee members who confer with us would probably take the attitude that it was not within their jurisdiction.

Not being an expert on the matter, I must protest, even though I can understand how Senators who feel strongly would want to offer it.

Mr. AIKEN. Mr. President, may I say I am familiar with the bill the Senator from Louisiana has referred to. May I also add I understand it was not intended to offer that bill as an amendment to the pending legislation until yesterday when the decision of the Food and Drug Administration became known, and to-

day it appears necessary to pass it if we are going to protect the intent of the Congress and protect the President of the United States in his proclamation of last June, because there are people who will circumvent the President just as quickly as they will circumvent the Senator from Louisiana.

Mr. LONG of Louisiana. Of course, the President can modify his proclamation. I would certainly hope the President, if he thinks his proclamation is being circumvented, would modify it to take care of the situation.

Mr. AIKEN. I have already made that suggestion to the President. I hope he will take prompt action, but there is a question as to whether he can go further than he has, in view of the ruling of the Food and Drug Administration, which is directly controverting the intent of the Congress and the intent of the President.

Mr. LONG of Louisiana. I hope, if the Senate sees fit to agree to the amendment, Senators will be tolerant and understanding of those other Senators who may be conferees. I hope they will recognize that the Senate conferees will be drawn from the Finance Committee, which does not have jurisdiction over the matter, and that the conferees from the House also will be from a committee which has no jurisdiction over it. If the Senate sees fit to agree to the amendment, it will be our duty to see that the House conferees consider it, but I fear their attitude will be that, because they do not have jurisdiction, they will not agree to it.

I would like to point out that the Senator from Indiana [Mr. HARTKE] has an amendment, that he was going to offer yesterday, concerning steel imports. He said he would withhold it in the event no other quota amendments were added to the bill. That happened to be an amendment over which the Finance Committee and the House Ways and Means Committee would have jurisdiction.

Mr. AIKEN. No; not exactly, because I voted against the textile amendment yesterday, not because I did not have sympathy for the textile people, because I did, but because I did not want to clutter the bill up with a lot of amendments. But in view of what happened yesterday, and the ruling of the FDA first became known to the dairy industry, there is no time to lose. As a matter of fact, the timing of the Food and Drug Administration was marvelous. They could not have issued it in a more timely way than if they had been working on it a long time. And maybe they have. But I am not going to let them circumvent the Congress or the President if I can help it.

Mr. LONG of Louisiana. I believe the Agriculture Committee held one meeting on S. 612. That is my information. I would hope we could know what the Committee on Agriculture thought about it.

Mr. GRIFFIN. Mr. President, will the distinguished Senator from Louisiana yield me 5 minutes?

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Michigan.

Mr. GRIFFIN. Mr. President, it hardly behooves a freshman Senator to rise and suggest that the Senate does not know what it is doing. But I must say that this

is one of the saddest days in the period of my service in the Senate as I see this "Easter basket" being loaded down to the point where one can only wonder if there can be any delivery at all.

Mr. President, there are many fine dairy farmers in the State of Michigan, and I know the importation of dairy products is a serious problem. But surely, when the attention of the world is focused on the U.S. Senate—when concerned people around the globe are wondering what we are going to do or not do with the opportunity we have to demonstrate a sense of responsibility, to demonstrate a sense of fiscal discipline—this is the wrong time to consider import quota amendments.

I am very frustrated and disturbed about procedures of the U.S. Senate which require Senators to vote on amendments which are not germane under circumstances such as those we face today.

I do not know what the effect of the legislation would be on our neighbor Canada or on friendly countries such as New Zealand, Australia, and others.

Most of us have no idea what the effect of the amendment would be. We do know, however, that its adoption would have a serious, adverse effect on an important conference going on in Stockholm right now—a conference where other nations of the world are gathered—nations that are concerned about the gold crisis and the threat to the dollar—nations that are interested in cooperating with us and wondering whether we are going to cut back on spending and increase taxes.

But let me say that the final nail in the coffin would be for Congress to tack onto this bill a series of import quota amendments.

Oh, I know that such amendments could be thrown out in conference. Perhaps they would be. But an attitude, a lack of will, on the part of the Senate would be revealed and demonstrated if these amendments should go on the bill—an attitude which would speak very loudly to those who wonder and are concerned about the United States and its intentions.

I suspect—I hope—that many of my colleagues who voted the other day for the textile import quota amendment would like to reconsider that vote as they look now toward the vote on this amendment. If they had realized what the earlier vote would lead to, I believe some of them would have voted the other way.

Surely, we have to vote against this amendment. Because if this amendment should be adopted, the floodgates will be open, and, as the chairman of the Finance Committee has indicated, we might as well add on import quota amendments for steel and for all the other commodities which face tough competition from imports.

Mr. President, I hope the Senate will rise to the occasion and demonstrate a sense of responsibility. I hope the Senate will do what is needed at this hour and vote down the amendment offered by the distinguished Senator from South Dakota.

Mr. AIKEN. Mr. President, will the Senator yield me 1 minute?

Mr. McGOVERN. I yield 1 minute to the Senator from Vermont.

Mr. AIKEN. Mr. President, this amendment will not take a nickel from any foreign country. It will improve the United States' gold position and our balance of trade, and it can conceivably prevent the United States from having to spend another half billion dollars in supporting the price of dairy products in this country.

What the Senator from Michigan has said is completely wrong. This amendment is the result of an act taken by an agency of the Government which became known only yesterday, which would play right into the hands of foreign countries, to the detriment of the United States.

The amendment should be agreed to. We have already asked the White House to take what steps they can. The President assured us previously that he would hold them to the 1 billion pounds in imports to which they were entitled under the law; and he did his best to stop the circumventing of the law.

We are not circumventing any law. It was these importers from the foreign countries who were circumventing the law and the intent of Congress. I think we had better administer a little justice here.

Mr. YOUNG of North Dakota. Mr. President, in all due deference to the Senator from Michigan, I hope the time will never come when we who represent agricultural States cannot get up on the floor of the Senate and defend a segment of our economy which is so important and which is in such serious trouble.

It may be true that this amendment will be lost in conference with the House of Representatives. As a result of this amendment having been considered, the people of this country will know a little more about the difficult problems facing the dairy industry. The dairy industry is being ruined by excessive and unnecessary imports.

Mr. AIKEN. If we wanted to improve the lot of foreign countries, instead of concentrating on letting them ship dairy products in here duty free, we had better increase the quotas of Volkswagens and other foreign automobiles.

Mr. McGOVERN. Mr. President, I yield myself 1 minute.

I wish, once again, to remind other Senators that if we fail to act on this measure, far from improving our standing in the world and our image of responsibility, we will be neglecting one of the areas of real economic trouble for our country, and damaging our position in the world.

The present dairy import problem in this country is costing us something more than \$36 million in additional drain on our balance of payments that this measure would close. In that respect, it works hand in hand with the overall purpose of the legislation that is pending before us. By strengthening the economic position of a very important industry in this country, we are making our entire economy stronger and our position in the world more viable.

So I would hope that, far from interpreting what we are asking the Senate to do at this point as an irresponsible act, Senators would interpret it for what

I believe it to be—the discharge of our responsibilities to our dairy industry, and an action that will benefit the taxpayer and the American economy as a whole.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield 2 minutes to the Senator from Minnesota.

Mr. MONDALE. As the Senator from South Dakota knows, many of us have sponsored dairy import quota legislation, with requests for hearings, which were very useful, by the Committee on Agriculture and Forestry, and then pressed the administration to use existing authority under the Tariff Act to impose meaningful restrictions, all designed to promote dairy income and to protect the integrity of our domestic price support system.

Minnesota, together with the State of Wisconsin, lies in the greatest dairying area in the world. I have therefore concerned myself deeply with the problems of the dairy industry and solutions to its problems. Declining prices, increasing costs, sharp drops in dairy cow numbers, competition from imports, and loss of export markets all plague the dairy industry and dairy farmers.

In an effort to promote and encourage this industry, I have sponsored legislation to provide income support for dairy farmers. I am the Senate author of a bill to encourage the consumption of butter through domestic price reductions by butter processors. I have joined in asking for higher basic support prices for manufacturing milk every year since I came to the Senate.

And, more relevant to the present amendment, I sponsored Senator PROXMIER's bill to impose import quotas on the flood of dairy products being dumped on our domestic markets. I worked hard to

get hearings on this bill in the Senate Agriculture Committee, and we were successful in that effort. I also asked the U.S. Tariff Commission and President Johnson to plug the outrageous loopholes and evasions of presently existing dairy quotas—and the President effectively responded.

While I am not an expert on the GATT rules, I am of the understanding that for a domestically supported agricultural product under the GATT rules you are entitled to protect the integrity of your domestic price system; otherwise you have a world price support system.

Mr. McGOVERN. I think the Senator is correct.

Mr. MONDALE. So, under the understanding of the world trade community, dairy products are on a different basis than some other commodities which are unsupported. And the United States has already acted by Executive order.

Mr. McGOVERN. The Senator is correct, and I am sure he knows that all other dairy-producing—

The PRESIDING OFFICER. The Senator's time has expired.

Mr. McGOVERN. I yield myself 3 additional minutes.

The PRESIDING OFFICER. The Senator has only 1 minute remaining.

Mr. McGOVERN. I will take a half minute.

I am sure the Senator knows that all other dairy-producing countries are already exercising the kind of control we are calling for in this measure.

Mr. MONDALE. Mr. President, does anyone have any time to yield?

Mr. LONG of Louisiana. How much time does the Senator require?

Mr. MONDALE. Five minutes.

Mr. LONG of Louisiana. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 15 minutes.

Mr. LONG of Louisiana. I yield 5 minutes to the opposition.

Mr. MONDALE. Following this effort, which, as the Senator from South Dakota knows, was under the leadership of the senior Senator from Wisconsin [Mr. PROXMIER], who is present in the Chamber, we have seen an impressive downward trend in dairy imports under the new Presidential tariff orders.

U.S. imports of all dairy products totaled 2.9 billion pounds milk equivalent in 1967, slightly more than the 2.8 billion in 1966. More than 75 percent of the 1967 imports occurred in the first 6 months of 1967, however, because dairy imports were sharply checked during the last half of the year by the new import restrictions announced by the President on June 30, 1967.

These new restrictions held imports in the last half of 1967 to just under 0.7 billion pounds milk equivalent, compared with 2.2 billion—more than three times larger—in the first half of the year.

For example, last year's 152-million-pound imports of cheese were up about 17 million pounds from 1966—but the bulk of this increase was Colby cheese imported before the new restrictions.

Imports in 1968 are expected to approximate 1 billion pounds milk equivalent—less than half the total for the year 1967.

I ask unanimous consent that a table showing the dramatic drop in dairy imports in the last half of 1967 following the new Presidential import restrictions be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

TABLE 23.—DAIRY PRODUCTS: U.S. IMPORTS, QUOTA AND NONQUOTA, 1965-67

[In millions of pounds]

Product	1965			1966			1967 ¹		
	January to June	July to December	January to December	January to June	July to December	January to December	January to June	July to December ²	January to December
Cheese:									
Quota types:									
Cheddar.....	1.4	0.4	1.8	2.6	1.6	4.2	1.6	3.5	5.1
Other American types ³	8.9	5.3	14.2	15.1	30.9	46.0	45.6	9.7	55.3
Italian types.....	4.6	3.2	7.8	4.2	4.0	8.2	6.5	3.4	9.9
Edam and Gouda.....	3.2	4.3	7.5	5.0	5.9	10.9	5.1	6.5	11.6
Blue mold.....	2.4	2.0	4.4	2.9	2.3	5.2	2.5	2.3	4.8
Total.....	20.5	15.2	35.7	29.8	44.7	74.5	61.3	25.4	86.7
Nonquota types:									
Swiss.....	6.6	9.1	15.7	9.3	14.6	23.9	10.9	13.3	24.2
Pecorino.....	6.0	9.9	15.9	6.2	9.6	15.8	7.0	8.7	15.7
Roquefort.....	1.1	1.1	2.2	.8	1.0	1.8	.8	1.0	1.8
Other ⁴	4.2	5.6	9.8	7.6	11.8	19.4	13.2	10.2	23.4
Total.....	17.9	25.7	43.6	23.9	37.0	60.9	31.9	33.2	65.1
Other quota products:									
Butter.....	.3	.4	.7	.3	.4	.7	.3	.4	.7
Butteroil.....	1.2	—	1.2	1.2	—	1.2	1.2	—	1.2
Butterfat mixtures.....	—	3.4	3.4	61.3	44.3	105.6	92.4	8.1	100.5
Frozen cream.....	6.2	6.4	12.6	9.6	5.4	15.0	9.5	2.7	12.2
Dried cream.....	—	(⁵)	(⁵)	—	—	—	—	—	—
Dried whole milk.....	—	—	—	(⁵)	—	(⁵)	—	(⁵)	(⁵)
Dried skim milk.....	.8	.6	1.4	1.0	1.8	2.8	.1	.8	.9
Dried buttermilk.....	.1	(⁵)	.1	.2	.2	.4	.1	.1	.2
Malted milk.....	(⁵)	(⁵)	(⁵)	(⁵)	—	(⁵)	(⁵)	—	(⁵)
Nonquota products:									
Canned milk.....	.6	1.2	1.8	1.1	2.2	3.3	4.0	1.4	5.4
Casein.....	51.2	40.6	91.8	52.8	55.1	107.9	46.3	52.9	99.2
Milk equivalent, total, all products.....	458.0	460.0	918.0	1,386.0	1,389.0	2,775.0	2,196.0	659.0	2,855.0

¹ Preliminary.

² Includes entries and quantities afloat by June 30 not reported previously by Census.

³ Includes Colby.

⁴ Gjetost, Bryndza, "Other," and Gammelost and Noekkelost.

⁵ Less than 50,000 pounds.

Mr. MONDALE. My point in quoting these statistics is to show that dramatic improvement has flowed from the action by the President of the United States under existing authority.

I will continue to oppose the dumping of dairy products onto American markets.

But this amendment—coming as it does after adoption of a textile import quota rider—and at a time when other protectionist riders are waiting in the wings for the opportune moment to come forward—can only result in a serious trade barrier war. If the U.S. imposes new quotas, foreign countries will merely retaliate with new tariff and non-tariff barriers of their own. These are the rules of the game. A retreat to protectionism not only undermines our long run interest, but involves high short run costs. Quotas will immediately increase the price of imported goods and reduce the standard of living for everyone. The price increase, coupled with loss of tariff revenue will fan the already rising flames of inflation—and further seriously impair our balance of payments.

Mr. McGOVERN. Mr. President, will the Senator yield at that point?

Mr. MONDALE. I am happy to yield.

Mr. McGOVERN. I think the Senator's point is well taken. As we have pointed out previously today, the President deserves great credit for the efforts of the executive department in attempting to deal with this problem. But the action of the Food and Drug Administration this week in removing condensed milk, evaporated milk, and other hermetically sealed dairy products from the Milk Import Quota Act has the effect of opening the floodgates again; and we are attempting to close them by the amendment now pending, which, in effect, would strengthen what the President wanted to accomplish under the Executive order.

Mr. MONDALE. One of the problems which I see, and which I am sure the Senator from South Dakota is concerned about as well, is that there are pending before the Senate today dangerously restrictive amendments on various commodities that could affect and halt some \$6 billion in world trade. We have already adopted one relating to textile import quotas. I am very fearful that we may be on the verge of starting the adoption of a whole spate of import quotas that could imperil, if not destroy, existing opportunities for expanded free movement in world commerce, and would imperil such exciting new efforts as the one reported in this morning's Washington Post, in which members of GATT have agreed to review their rule relating to border taxes. This is the direction I think we should be going in, not backward into erecting Smoot-Hawley protectionist walls, but forward into trying to knock down these border barriers, which now exist in the form of border taxes and other various kinds of oppressive restrictions.

I am very fearful that, although I see the dairy industry in a slightly different category for the reasons that I have suggested—and I think GATT would view it as such—we may bring forth in the Senate a new, highly dangerous protec-

tionist trend that could have exceedingly serious consequences.

As the Senator from South Dakota knows, quota systems breed economic inefficiency, creating difficult conditions of entry into markets and a tendency toward allocation of quota rights to larger and more powerful concerns.

On the international level—quite apart from trade barriers imposed on U.S. products in retaliation—the Congress would create a serious “credibility gap” which would forever hamper American traders and negotiators. The U.S. position in future negotiations on trade matters would not be taken seriously by other countries, knowing that the Congress would not honor the position of the negotiators and was not committed to free trade.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, I yield 2 additional minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 additional minutes.

Mr. MONDALE. Mr. President, I believe the adoption of the textile import quota was a mistake. But I cannot contribute to an effort which will only encourage the remaining suggested quotas—oil, zinc, lead, and others—to the extent that it would be easy to anticipate all of the kinds of logrolling that could develop.

Such a trade barrier war would gravely endanger U.S. export trade in a large number of agricultural commodities, with extremely serious effects on all farmers and the entire agri-business industry.

This would also have a crippling effect on our balance of payments. In fiscal 1967, estimated commercial agricultural exports earned more than \$5.3 billion worth of dollar exchange and prevented our balance of payments from being a disaster. The value of farm exports set a record \$6.8 billion in fiscal year 1967.

I know well the plight of the dairy farmer. I have worked very hard on the problem. I think the issue is separate from any of the others. However, I think we have made remarkable progress in world trade. And I am very fearful that if the pending amendment is agreed to, it could bring forth a trend in a direction that we would all truly regret.

Mr. President, while I know well the plight of the dairy farmer, I know well, too, that many dairy farmers grow cash grain crops or soybeans, which is an excellent cash crop. They and their neighbors can ill afford a loss of export markets for these crops.

One of every four acres harvested in the United States goes for export. In fiscal 1966-67, over half of the U.S. wheat crop—four-fifths of the dried edible peas—two-thirds of the milled rice—one-fourth of the soybean crop—and more than one-third of the grain sorghum—and more than two-fifths of the cotton crop—were shipped to consumers in other nations.

Secretary Freeman has estimated that agricultural exports provide jobs for

about one million workers, and this obviously helps labor and business.

I know of the remarkable contributions which the Senator from South Dakota [Mr. McGOVERN] has consistently made for the best interests of not only the farmers and American agriculture, but also for this country and the world.

It is not easy to vote against his amendment—but I must, because I think the current tendency toward trade protection for a wide range of commodities is ill advised and will cause damaging repercussions in agricultural and other export markets. There may be special equities in the case of dairy imports, and it may be that the Tariff Commission restrictions will be evaded in the future. If that happens—or if signs of “dumping” are present—then I will support action on this as I have in the past.

Mr. President, I ask unanimous consent that the article entitled “On ‘Border Tax’ Question—U.S. Gets Major Concession From Its Trading Partners,” to which I referred earlier, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON “BORDER TAX” QUESTION: UNITED STATES GETS MAJOR CONCESSION FROM ITS TRADING PARTNERS

The United States won a major concession from its trading partners yesterday.

They agreed to restudy the question of border taxes, which U.S. officials have long contended discriminate against American exports.

The General Agreement on Tariffs and Trade in Geneva decided to establish a “working party” to delve into the whole question of border taxes with a view toward making possible “adjustments.”

For years the United States, arguing that such levies are inequitable, has sought such a study—but to no avail.

“It’s a major step forward,” an American trade official said last night. But he cautioned against expecting early results.

The development may have an important impact on American policy. Administration and Congressional leaders have been working covertly on a possible retaliatory border tax for the United States. Concessions on the issue by other industrialized nations might soften the U.S. stand.

Border taxes on imports are generally combined with export rebates. They work this way:

Sales, excise, value-added and similar taxes are refunded to a manufacturer on those goods he ships into foreign markets. An amount equal to the rebate is levied as an import surcharge on similar goods coming into the country. This makes exports more competitive in price and subjects imports to the same levy on domestic products.

The United States contends this works a hardship because it depends more on income taxes, which are not rebatable under GATT rules, and less on excise and value-added taxes, which are the mainstay of revenue in European countries. GATT does permit the rebate of these latter levies.

The GATT action yesterday is the latest in a series of unexpected concessions by other nations to help ease American balance of payments problems and strengthen confidence in the dollar.

The others are a proposal that the European nations accelerate their schedules of tariff cuts under the 53-nation Kennedy Round GATT agreement last summer and indications the Japanese may voluntarily limit their exports of steel to the United States.

Mr. MCGOVERN. Mr. President, I ask unanimous consent that a staff explanation by the Senator from Wisconsin [Mr. PROXMIER] of the bill (S. 612) which is the substance of the pending amendment, and appears on pages 2 and 3 of the Senate committee hearings, be printed at this point in the RECORD.

There being no objection, the staff explanation was ordered to be printed in the RECORD, as follows:

STAFF EXPLANATION OF S. 612

(Subcommittee No. 3)

SHORT EXPLANATION

This bill restricts imports of dairy products (containing five percent or more butterfat and nonfat milk solids) to those not resulting in total imports of either butterfat or nonfat milk solids in excess of—

(A) the average quantity imported in the five years 1961 through 1965, increased or decreased by

(B) the percentage that domestic consumption of milk and milk products (excluding those used in Federal distribution programs) increases or decreases in relation to such consumption for 1961 through 1965.

The President may permit additional imports if he finds such action is required by overriding economic or national security interests, and if either (1) prices received by farmers for milk are at parity or above, or (2) the Secretary of Agriculture removes a corresponding quantity of dairy products from the market.

NEED FOR THE BILL

Senator Proxmire stated at page S. 762 of the Congressional Record for January 24, 1967 that in order to insure a stable, adequate supply of fluid milk at reasonable prices, some surplus must be produced and there must be a market for this surplus in the form of products. Importation of excessive quantities of products destroys this market and results in additional Government support program purchases and costs. Import limitations under section 22 of the Agricultural Adjustment Act have been circumvented by the importation of Junex, Colby cheese, and other products which vary slightly from the products subject to quotas. The Tariff Commission is holding hearings on May 15, 1967, to investigate the need for further limitations under section 22.

SECTION-BY-SECTION EXPLANATION

The first section provides a short title, "Dairy Import Act of 1967".

Section 2 prohibits importation of dairy products except pursuant to authorizations issued by the Secretary of Agriculture.

Section 3 prohibits the issuance of authorizations which would result in total imports in any calendar year of butterfat or nonfat milk solids, in any form, in excess of the respective average annual imports thereof during the 5 years 1961 through 1965. This would set up one quota for butterfat content and a separate quota for nonfat milk solid content, each of which would be subject to adjustment as provided in section 4.

The bill does not require the Secretary to issue authorizations or to allocate authorizations among particular products or importers. The bill might be construed as leaving these matters to the discretion of the Secretary or requiring the issuance of authorizations for all within quota imports.

Section 4 provides that the total volume of imports authorized under section 3 shall be increased or decreased by the percentage by which the total annual domestic consumption of milk and milk products is greater or less than such consumption during the base period. Milk and milk products used

in Federal distribution programs would be excluded in computing or estimating domestic consumption. Estimates of domestic consumption could be made on a quarterly basis and reflected in imports authorized in subsequent quarters or in the subsequent year.

Section 5 provides an escape clause. If the President finds such action is required by overriding economic or national security interests, he may permit additional imports of any dairy product. However, no additional imports may be admitted when prices received by farmers for milk average less than parity, unless the Secretary removes a corresponding quantity of dairy products from the domestic market. The quantity thus removed would have to be in addition to and separate from other price support purchases and operations. The cost of such removal would be separately reported and would not be charged to any agricultural program.

Section 6 defines "dairy products" as including all forms of milk and dairy products, butterfat, nonfat milk solids, and any combination or mixture thereof, and also any article, compound, or mixture containing 5 per centum or more of butterfat, or nonfat milk solids, or any combination of the two. The bill regulates the importation of "dairy products" so as to prevent total imports of "butterfat" or "nonfat milk solids" in any form, from exceeding the respective average annual imports thereof during 1961 through 1965, adjusted in relation to domestic consumption of "milk and milk products". Use of these varying defined and nondefined terms may require some clarification. For instance, imports of products containing less than 5 percent butterfat and nonfat milk solids would count against the quota and reduce the quantity of dairy products that could be imported. Determination of these small amounts might prove difficult, particularly for the 1961-1965 period. Domestic consumption of "milk and milk products" would probably also have to be reduced to some common denominator, such as milk equivalent, for comparison purposes.

Section 7 authorizes the Secretary to prescribe rules and regulations.

Section 8 disclaims any intention of repealing section 22 of the Agricultural Adjustment Act, or any import limitation established thereunder.

Mr. MCGOVERN. Mr. President, I ask unanimous consent that the excellent statement of the Senator from Wisconsin [Mr. PROXMIER], appearing on pages 6 through 8 of the Senate committee hearings also be printed at this point in the RECORD. It is one of the most complete and thoughtful of any statement that the Senator from Wisconsin has made on this subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Senator PROXMIER. Mr. Chairman, I am delighted to appear before your subcommittee today in support of S. 612, the Dairy Import Act of 1967.

In response to your question as to whether anyone had any information as to whether the Secretary had taken any position on this bill, to the best of my knowledge he has not on this particular bill, but on two separate occasions, once before the Holland Subcommittee of the Appropriations Committee he did indicate that if the Tariff Commission did not act satisfactorily, he would favor legislation, and yesterday, when he appeared before the Tariff Commission, he repeated that statement; so that he would favor some kind of legislation whether it is this bill or not.

Senator HOLLAND. As I have already stated, we will hear from the Secretary and his people on Thursday, and if you care to be

here at that time, we will be glad to have you present.

Senator PROXMIER. Thank you very much. I certainly will.

I introduced this legislation on January 24, in response to a dairy import explosion that has driven down domestic dairy prices to ever lower levels.

In 1965, 900 million pounds of dairy products were imported into the United States. In 1966 imports more than tripled to an incredible 2.7 billion pounds. The Department of Agriculture estimates that imports in 1967 will reach 3.5 billion pounds.

This chart, which I understand is that of the milk producers, shows what an enormous increase this is, and anybody, with any basic knowledge or any knowledge at all of agriculture markets, can see that that kind of an import explosion is bound to have a very serious adverse, direct, and explosive effect in knocking down prices.

Senator HOLLAND. Will this chart be offered for the record at a later time?

Senator PROXMIER. It is my understanding that it will be.

My proposal is being cosponsored by 56 of my Senate colleagues including four members of your distinguished subcommittee. It would place permanent controls over dairy imports based on a 1961-65 average. This average is 844 million pounds. It would also allow imports to share in any growth in domestic consumption. Finally, it would give the President the power to authorize additional imports if he felt they were in the national interest. However, if domestic market prices were less than parity the Secretary of Agriculture would have to purchase an amount of domestic dairy products corresponding to the amount authorized to be imported by Presidential order.

Significantly, the Secretary of Agriculture would not be forced by S. 612 to set a given quota on each and every imported product. The bill simply sets the total quantity of butterfat or nonfat milk solids which may be imported in a given year. Within this overall restriction the Secretary can use his judgment in adjusting quotas on a product-by-product basis. In other words, he may increase the quota on item A and a corresponding reduction in the quota on item B in a given year and still comply with the language in S. 612.

Many have asked me why this legislation is necessary, especially in view of the powers available under section 22 of the Agricultural Adjustment Act of 1933 to curtail imports that "render ineffective, or materially interfere with, any . . . program or operation undertaken by the Department of Agriculture." As this subcommittee knows, section 22 hearings on dairy imports started yesterday before the Tariff Commission.

The historical answer is that these controls have never proven effective in the past on an extended basis and there is no reason to think that they will prove effective in the future. For example, when butteroil imports were placed under a section 22 quota, importers promptly concocted a butterfat-sugar mixture called exylone. Exylone imports were then barred by a regulation applying to mixtures containing 45 percent or more of butterfat. Almost immediately "junex," containing 44 percent butterfat, started to pour into the country.

Or take the case of Colby v. Cheddar Cheese. Cheddar imports are controlled under section 22. Colby imports are not. Both products contain not more than 40 percent moisture and, in solid state, not less than 50 percent milk fat. In fact, the standards of identity are almost identical. The taste is also very similar, much to the despair of domestic cheddar producers who have been badly hurt by Colby imports. The only basic difference between the two cheeses is that there are differences in the manufacturing process. This does not mean much to the housewife who

shops at the cheese counter of her supermarket.

These blatant attempts to circumvent section 22 controls have never been more obvious than over the past 2 years. Imports of Colby cheese in 1965 came to a grand total of 14.3 million pounds. In 1966, 46.5 million pounds squeezed through the section 22 loophole. Junex imports went from a relatively minor 3,510,032 pounds in 1965 to a whopping 104,522,904 pounds in 1966. Foreign producers knew a good thing when they saw it.

Now, the lumbering machinery available under section 22 has been cranked up again. On March 30 the Secretary of Agriculture called for a Tariff Commission investigation of dairy imports as soon as possible. The President seconded this request on April 3; the Tariff Commission announced hearings on April 10. The hearings got underway on May 15—yesterday. When the investigation will be completed, a report made, and the recommendations contained in the report carried out is anybody's guess. However, by that faraway date dairy product importers may well have come up with another way to beat the system.

S. 612 would set up a system that just cannot be circumvented. All products containing 5 percent or more of butterfat—all products—or nonfat milk solids or any combination of the two would be covered. Furthermore, the bill would, with great fairness, permit foreign producers to share in an increase in domestic consumption. However, it would not put a premium on attempts to get around the letter of the law, as the section 22 system now does.

The consumer may well ask why import controls of any sort are necessary, let alone the stricter controls contained in S. 612. The answer lies, in large part, in the perishable nature of dairy products. Because fluid milk is so perishable and because it is essential in the diets of our youth, a standby supply, or "surplus" must always be available in case of emergency demand. This necessary surplus dampens prices because supply will always outstrip demand. Therefore, Congress authorized domestic milk marketing orders—controlled price markets—guaranteeing that the dairy farmer will receive a sufficient return on his investment to keep him in business. The alternative would be prices so low that a great many dairy farmers would be driven out of business.

In the long run, this could mean sky high prices to the consumer because of the very low milk production.

Imports, of course, can have the same effect. By cutting into domestic prices, driving dairy farmers out of business and thus reducing domestic production, such imports will ultimately drive fluid milk prices way, way up. For fluid milk cannot be imported—it is too perishable. We must rely on domestic production and make sure that production stays above the danger point by controlling imports. In other words, excessive imports may mean low prices to the housewife in the short haul, but in the long run, by destroying our capacity to produce fluid milk, excessive imports will result in excessive domestic prices for fluid milk.

Finally, Mr. Chairman, I would like to point out that those who feel this legislation would tinker with the machinery of international trade are proceeding on the naive assumption that other countries are letting that machinery run freely. This is far from the truth. In fact, "junex" imports are being indirectly subsidized. The butter used in the butterfat-sugar mixture called "junex" receives vast subsidies from European countries. The Dutch sell butter at home for 64 cents a pound. This means Dutch exporters can offer butter free on board Dutch ports at around 26 cents per pound. This butter is used by Canada and the United Kingdom in butterfat-sugar mixtures for ultimate sale in the United States. With this type of subsidy,

U.S. importers have been able to offer these mixtures on a delivered basis in this country at prices ranging from 30 to 35 cents per pound. And in times of surplus production in the domestic dairy industry, each pound of this imported subsidized dairy product means that the Commodity Credit Corporation has to use tax dollars to purchase and store an equivalent amount of domestic dairy products.

Mr. Chairman, the passage of S. 612 is essential to dairy farm price stability. For too long American dairy farmers have been at the mercy of foreign producers who have not hesitated to tailor their products to fit the loopholes in section 22. We must not continue to reward these efforts. We must make it clear by passage of S. 612 that foreign producers can go so far and no further in their attempts to invade American markets.

The PRESIDING OFFICER. Who yields time?

Mr. McGOVERN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having expired, the question is on agreeing to the amendment of the Senator from South Dakota. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. LAUSCHE (after having voted in the affirmative). On this vote I have a live pair with the Senator from Montana [Mr. MANSFIELD]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I therefore withdraw my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Montana [Mr. MANSFIELD], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Rhode Island [Mr. PELL], the Senator from Alabama [Mr. SPARKMAN], the Senator from Mississippi [Mr. STENNIS], the Senator from Georgia [Mr. TALMADGE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Texas [Mr. YARBOROUGH] are necessarily absent.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Michigan [Mr. HART], the Senator from New York [Mr. KENNEDY], and the Senator from Missouri [Mr. LONG] are absent on official business.

I further announce that, if present and voting, the Senator from New York [Mr. KENNEDY], the Senator from Rhode Island [Mr. PELL], and the Senator from Michigan [Mr. HART] would each vote "nay."

On this vote, the Senator from South Carolina [Mr. HOLLINGS] is paired with the Senator from Rhode Island [Mr. PASTORE]. If present and voting, the Senator from South Carolina would vote "yea" and the Senator from Rhode Island would vote "nay."

Mr. KUCHEL. I announce that the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senators from Illinois [Mr. DIRKSEN and Mr. PERCY], the Senator from Arizona [Mr. FANNIN], the Senator from Iowa [Mr. MILLER], and the Senator from

Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Arizona [Mr. FANNIN] and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Illinois [Mr. PERCY]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Illinois would vote "nay."

The result was announced—yeas 37, nays 38, as follows:

[No. 94 Leg.]

YEAS—37

Aiken	Eastland	McGovern
Allott	Ellender	McIntyre
Brewster	Ervin	Montoya
Burdick	Gruening	Morse
Byrd, Va.	Hartke	Mundt
Byrd, W. Va.	Hayden	Nelson
Cannon	Hickenlooper	Prouty
Carlson	Hruska	Proxmire
Church	Jackson	Smith
Clark	Jordan, Idaho	Spong
Cotton	Magnuson	Young, N. Dak.
Curtis	McCarthy	
Dominick	McGee	

NAYS—38

Anderson	Hill	Muskie
Bible	Holland	Pearson
Boggs	Inouye	Randolph
Brooke	Javits	Ribicoff
Case	Jordan, N.C.	Russell
Cooper	Kennedy, Mass.	Scott
Dodd	Kuchel	Smathers
Fong	Long, La.	Symington
Gore	Metcalf	Thurmond
Griffin	Mondale	Williams, N.J.
Hansen	Morton	Williams, Del.
Harris	Moss	Young, Ohio
Hatfield	Murphy	

PRESENT AND GIVING A LIVE PAIR, AS PREVIOUSLY RECORDED—1

Lausche, for.

NOT VOTING—24

Baker	Hollings	Pell
Bartlett	Kennedy, N.Y.	Percy
Bayh	Long, Mo.	Sparkman
Bennett	Mansfield	Stennis
Dirksen	McClellan	Talmadge
Fannin	Miller	Tower
Fulbright	Monroney	Tydings
Hart	Pastore	Yarborough

So Mr. McGOVERN's amendment was rejected.

Mr. SCOTT. I rise to seek clarification on the amendment by the distinguished Senator from Connecticut [Mr. RIBICOFF], which we passed yesterday to end the tax-exempt status of industrial development bonds. This amendment provides for the specific exclusion of bonds of a clearly nonindustrial nature which would continue to remain exempt from any obligation for the payment of Federal taxes on related interest.

Essentially, this amendment is the language of the bill introduced by the Senator from Connecticut [Mr. RIBICOFF] as S. 2636 on November 8, 1967. A Treasury Department technical explanation entered in the CONGRESSIONAL RECORD for that date indicates, in part:

The phrase "industrial or commercial purposes" is intended to have its customary meaning and is not specifically defined by the bill. Thus, for example, bonds issued to construct a facility for an exempt organization, such as a college dormitory, would not be an industrial development.

A colloquy with the Senator from New York [Mr. JAVITS] yesterday further indicated that bonds issued for this purpose

by a State dormitory authority would be similarly exempt. However, I should like to ask the Senator from Connecticut [Mr. RIBICOFF] these additional questions:

First, would bonds issued for classroom and other college facilities also be excluded under the terms of this amendment in the same way as bonds for college dormitories?

Mr. RIBICOFF. Certainly; my amendment is limited to bonds issued for industrial or commercial purposes and will not affect bonds issued to finance any college educational facilities.

Mr. SCOTT. Second, unlike the New York State Dormitory Authority, to which reference was made yesterday, some dormitory authorities in other States are not empowered to exercise the right of eminent domain. This is true, for example, of the Pennsylvania Higher Educational Facilities Authority, which does not have the right of eminent domain. Am I correct in assuming that the amendment intends no distinction for exemption purposes between those State dormitory authorities which do, and do not, have the right of eminent domain?

Mr. RIBICOFF. The distinguished Senator from Pennsylvania is absolutely correct.

The PRESIDING OFFICER. The bill is open to further amendment.

What is the will of the Senate?

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. COTTON. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. LONG of Louisiana. Mr. President, in view of the large number of absent Senators, many of whom had requested that we postpone the vote until such time as they could be here, I am going to move, after Senators have made their speeches and offered amendments, that we postpone the final vote on the Williams-Smathers substitute and the bill, too, until those Senators are able to return.

Mr. DOMINICK. Mr. President, may we have order? We cannot hear.

The PRESIDING OFFICER. The Senate will be in order.

UNANIMOUS-CONSENT REQUEST

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that when the Senate convenes on Monday the Williams-Smathers substitute may be the pending business before the Senate; and that no further amendments will be considered at that time.

Several Senators addressed the Chair. The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. MORSE. Mr. President, reserving the right to object, is it the suggestion of the Senator that we vote on Monday?

Mr. LONG of Louisiana. Yes; on the Williams-Smathers substitute.

Mr. COTTON. Mr. President, reserving the right to object, if it has been determined by the majority—and certainly with respect to those on this side of the aisle, like the Light Brigade, ours is not to reason why, ours is but to do or die—that this vote is to go over until Monday, I think other amendments might well be offered this afternoon.

Mr. President, we have opened the door. Some of us are very much interested in importation of electronics, the importation of shoes, and some Senators are interested in the importation of beef. The door is open. I do not think the leadership should have its cake and eat it, too.

After we have canceled our reservations and stayed in town to wind up the bill today, if the vote is going to go over until Monday, let us not close the door to other amendments.

Mr. LONG of Louisiana. Mr. President, if the Senator suggests that point of view, I wish to make the request that the Senate vote on the Williams-Smathers substitute at 4 o'clock on Monday afternoon.

The PRESIDING OFFICER. Is there objection?

Mr. MORSE. I object.

Mr. GORE. Mr. President—

Mr. JAVITS. Mr. President—

The PRESIDING OFFICER. Objection is heard.

Mr. MORSE. Mr. President, I wish to put my objection in the form of a reservation.

We have been debating this bill all week. I think we should conduct the business of the Senate in the regular order—and the regular order, it seems to me, is to vote on the bill today.

I shall be very frank with respect to the situation in which this puts me, as well as certain other Senators. There is a very important conference to be held in Mexico City on Monday. The administration has asked us to go to Mexico City to represent it at the conference with the Vice President. It was expected we would dispose of this bill today, I, of course, will not go to Mexico City, even though I am the chairman of the Subcommittee on Latin American Affairs.

I shall stay, but I am not going to permit a vote on Monday because if we are going to follow the regular order in the Senate—I object. I will be in good voice and good health on Monday.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. MUNDT. Mr. President, I rise to direct a question to the acting majority leader.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. I yield 2 minutes.

Mr. MUNDT. Mr. President, some time this afternoon I would like to have 12 minutes in order to speak on a different topic.

Mr. LONG of Louisiana. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator is recognized for 1 minute.

Mr. LONG of Louisiana. Mr. President, it was my hope that Senators who had amendments to offer would offer them so that we could proceed to vote and dispose of them today. We would then proceed, in view of the requests I have had, to vote on the substitute and then vote on the bill on Monday. Senators certainly have the right to object.

Mr. MURPHY. Mr. President, can we vote on the substitute right now?

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield 30 seconds to the Senator.

Mr. MURPHY. Mr. President, I would like to know why we cannot vote on the substitute now.

If the substitute carries, we would have accomplished what we came here for; if it fails, we can go to the regular order of business on the bill.

We should clear away the confusion. Let us vote on the substitute today.

Mr. COTTON. Mr. President, will the Senator yield to me for a minute?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. Mr. President, the position of the Senator from New Hampshire was not in criticism of the leadership, nor was it intended to be obstructive.

I do hope we will not start with a large group of amendments on steel, cattle, and everything else. However, to avoid that, I do not think it fair to close the door and then wait until Monday. I hope we can go ahead and vote on the substitute now and stop delaying with amendment after amendment. If we are not going to vote, then I hope the door will be left open.

Mr. JAVITS. Mr. President, will the Senator yield to me for 1 minute?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Mr. President, I deeply appreciate the situation in which the leadership finds itself. However, is it not a fact that if the Smathers-Williams substitute should be rejected, any other substitute could be offered prior to third reading of the bill?

As a suggestion, I think the Senator would be in a much better position if we had a vote—which seems to be the attitude of the Senate—on the Williams-Smathers substitute.

Then, if the Senator wanted to go over until Monday on the bill, either as amended by the Williams-Smathers substitute—because that would lock it up and it is as effective as a third reading—or, if defeated, on the bill as reported before the Senate, that procedure would seem to make sense.

For the Senate not to act after so much debate, and when we are ready to vote, it seems to me is dragging out the matter unnecessarily.

I make these remarks as a suggestion to the leadership.

Mr. LONG of Louisiana. Mr. President, does the Senator from South Dakota wish to make his statement at this time?

Mr. MUNDT. I am prepared to proceed.

Mr. LONG of Louisiana. Mr. President, I yield 12 minutes to the Senator from South Dakota.

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 12 minutes.

THE COSTLY VENTURE OF THE F-111

Mr. MUNDT. Mr. President, events of yesterday resulted in more unhappy news for the American people concerning the continuing sorry story of the ill-fated adventure to develop a military aircraft which would be suitable for use by both the U.S. Air Force and the U.S. Navy. I speak of the F-111 program, the TFX plane, about which the Senator from Ar-

kansas [Mr. McCLELLAN] addressed the Senate yesterday.

The Senate Armed Services Committee has now voted its disapproval against the expenditure of any additional funds for the Navy—F-111B—version of this plane. I welcome this decision, amply supported by testimony from high-ranking Navy officials, which will result in utilizing well over \$400 million for the purpose of developing another aircraft instead of continuing to pour these massive amounts into a plane for which there has been evidenced little support from those directly concerned with utilizing a Navy defender.

The user services, through long investigation of the TFX contract, consistently, persistently, and aggressively opposed the idea of developing a single plane with commonality features to do a variety of jobs in the air.

While the committee's decision is welcome, it also is unhappy, for it marks confirmation of a contention raised many, many months ago that the commonality theory simply would not work with respect to the TFX. As was pointed out yesterday, by the distinguished chairman of our Permanent Investigations Subcommittee [Mr. McCLELLAN], had the requirement for commonality been dropped at a time it was recommended, a Navy fighter plane would undoubtedly have been ready now to fulfill its fleet defense needs, for it was in 1964 when a redesign proposal was made by the Gruman Co.

The second unhappy event of yesterday—truly a tragic one—is the loss in combat of one of the first six F-111A's of the Air Force to fly in action in the Vietnam war.

Mr. President, some 8 months ago in questioning Pentagon witnesses at the appropriations hearing on the F-111 program, it was brought out by our committee that the Air Force version of the TFX had some serious problems to be solved. The Congress was assured, however, by the civilian witnesses from the Pentagon that these problems would be fixed before the airplane was committed to combat operations. I did, however, have what proved to be a prophetic colloquy with Admiral Connolly regarding this situation. I said:

I don't see how you can train the crews to get ready for this kind of operation if you have bad speed brakes, if you have had buffeting from the speed brakes, or if you cannot do the other things you have been saying to Senator McClellan about the plane. Maybe the story is wrong, but I don't know. We ought to have it in the record because we are going to be confronted with that; we have a plane now that we can win the war with in Vietnam.

F-111 CAN FLY

Admiral CONNOLLY. We sit here and discuss all the things wrong with the F-111. There are some things that the F-111 can do. It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone [deleted] on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly [deleted].

Senator MUNDT. I think so, too. If you are going to take it out before it is fully operational, with a billion and a half dollars invested in research, and get it shot down in a dogfight by some Russians so that they

get all the research free, I don't think it is a good bargain.

Admiral CONNOLLY. I agree with you. [Deleted.]

As all of us are well aware, this event came to pass yesterday on the F-111A's third combat mission in Vietnam. While the Pentagon has clamped a veil of secrecy over the exact circumstances surrounding the disappearance of this aircraft, this morning's newscasts indicate that the North Vietnamese are taking credit for having knocked it down. Quite obviously, they know it has disappeared. But I bring this up today, not because I want to get any personal satisfaction out of saying "I told you so" but because of a much more serious, and much more fundamental, problem with this airplane program that it is my duty to bring to the attention of the Congress. As an introduction to my remarks, I now ask unanimous consent that an article from last Monday's Aviation Week and Space Technology magazine, dated March 26, 1968, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Aviation Week & Space Technology, Mar. 25, 1968]

SHORTCUTS SEND F-111'S TO VIET TEST—SIX VARIABLE-GEOMETRY FIGHTER BOMBERS ARRIVE IN SOUTHEAST ASIA FOR COMBAT EVALUATION BEFORE NORMAL USAF TRIALS ARE COMPLETED

(By C. M. Plattner)

LOS ANGELES.—Deployment of six USAF/General Dynamics F-111A fighter bombers to Southeast Asia Mar. 15 for combat operation and evaluation short-circuited normal Air Force development patterns, and probably will force the aircraft to operate under some flight restrictions.

In addition, because tactics best suited to the variable-geometry fighters are not defined in detail, they will be flown on the basis of contractor-furnished information and use hastily adapted standard weapons delivery techniques.

The six F-111s, forming Detachment 1, 428th Tactical Sqdn., flew from Nellis AFB, Nev., to Takhlil Royal Thai Air Base, 85 mi. north of Bangkok, where they arrived Mar. 16. Takhlil, also the base of a Republic F-105 wing, is about 500 naut. mi. from Hanoi.

The Air Force designation for the evaluation is Combat Lancer.

The 428th Sqdn., based at Nellis, received the first Tactical Air Command F-111A last summer and began qualifying a small group of pilots for deployment under project Harvest Reaper. The aircraft used by the Harvest Reaper group were pre-production models initially intended for the Category 2 test program.

In terms of configuration, F-111 No. 31 was regarded as the first production aircraft, although several minor modifications have since been required, and aircraft No. 42 is now regarded as the standard production version.

The substantial number of modifications made during the F-111A development program has resulted in long delays and an almost continuous juggling of schedules and plans.

One officer says that the situation now is so confused that the status of the original incentive contract, with its penalties and rewards, is unclear. A key element, an Air Force reliability and maintainability evaluation, has been postponed repeatedly, and it is not clear now if it will be run at all.

Aside from the modifications, the pressure to prepare a group of aircraft for combat

has forced additional juggling of flight test activities and Category 3 work at Nellis.

Excessive drag and engine inlet problems have been responsible for much of the delay, but avionics systems modifications have been equally troublesome, an Air Force officer said.

The original goal in the F-111A development program was to proceed normally through the standard Category 1, 2 and 3 test program to the operational phase. Category 2 testing was to have been completed by the end of 1967 at about the time the first squadron was to have become operational.

Currently, Category 2 testing of the F-111A at Edwards AFB, Calif., is only partially completed, and present estimates are that it will not be finished until late 1969. This does not include Category 2 tests of the F-111D, with its advanced Mk. 2 avionics equipment, nor testing of the FB-111A Strategic Air Command bomber version.

Category 1 contractor testing of the F-111A is 80-85% complete. General Dynamics said. Category 3 user command testing at Nellis began only early this year. It is generally unrelated to the Harvest Reaper crew training program, although some benefits are expected from the combat deployment.

In general, all three category test phases are far behind original schedules, although, paradoxically, aircraft deliveries have stayed fairly close to schedule.

Although most of the contractor modifications of the engine, inlet and avionics are believed now to be correct, Air Force verification of them through its own testing is far from complete. This does not mean that the aircraft is unsafe to fly. Basic F-111 airworthiness has long been established, but as a weapons system, it has yet to be shaken down in standard fashion.

Stability and control work is only about one-half done in Category 2, and performance testing of the most recent version of the aircraft just got under way. Systems testing also is unfinished.

The F-111A will carry an impressive load of conventional ordnance in various combinations, but not all combinations and types of ordnance have been cleared for release from the aircraft.

However, the major part of Category 1 ordnance qualification has been completed, including the use of:

- Internally mounted M-61A1 gatling gun.
- Variety of bombs—from 500 to 3,000 lb.
- Napalm.
- Cluster bomb unit (CBU).
- 2.75-in. rockets.
- Nuclear weapon shapes.

Air Force is pressing to clear the F-111A for most standard ordnance but has not completed this work. While sufficient standard load configurations have been cleared to permit its use in combat, some specific types of ordnance, such as the Mk. 2 Mod 0 Wall-eye TV-guided glide weapon, have not been tested.

The variable-sweep wing has added considerably to the work load of ordnance qualification, because tests must be repeated with various wing plan-forms.

Within the Air Force structure, the F-111 is expected ultimately to be essentially a Republic F-105 replacement. Its principal attributes in relation to the F-105 are longer range, faster speed, greater load-carrying capability and substantially improved avionics, providing better all-weather low-level penetration and weapons delivery characteristics.

Otherwise, in design philosophy, the F-111A resembles the F-105, being primarily an air-to-ground interdiction and nuclear weapons delivery aircraft with only limited air-to-air fighter capability.

Most weapons will be carried externally on the F-111A's four inboard stations, which swivel to remain parallel to the fuselage as the wing sweeps. For high-speed flight up to

Mach 2.5 at high altitude and Mach 1.2 at ground level, the wing is swept aft. This precludes carrying ordnance on the outboard four stations, which have fixed pylons. Each station is stressed for the same maximum load, at least 4,000 lb.

Bombs, rocket pods and napalm canisters will be slung from either triple ejector racks (TERs) or multiple ejector racks (MERs).

A vibration problem encountered during flight test last summer has been solved by modification of the standard multiple ejector racks. The MER suspension lugs have been shifted 10.35 in. forward to move aft the over-all center of gravity of the loaded rack. The aft end of the MER also has been tilted downward 1.75 deg. No modifications have been necessary to the triple ejector racks.

The bomb bay of the F-111A can carry ordnance as well as the internal gun. Two 750-lb. M117 bombs can be stowed in the weapons bay if no gun is carried. On one test flight, General Dynamics has carried 32 M117 bombs.

Mr. MUNDT. Mr. President, I want to emphasize the title of that article, "Shortcuts Send F-111's to Vietnam." The author avers that these airplanes sent over in this Harvest Reaper program were not operationally ready, contained many unsolved problems, and had not completed their normal Air Force test program. I happen to know that the charges he makes are true. He also says that airplanes are rolling down the production line today with all of the many faults and problems he describes being built into each and every one of them. That charge also is very, very true.

I also know that there are other problems with the F-111A which have been hidden behind the Pentagon's cloak of secrecy. In January of this year, additional serious faults were uncovered in the course of normal testing and yet, only 2 months later, the airplanes were sent to Vietnam with these faults unremedied.

Without belaboring the matter further or speculating as to just why these planes were sent over there, I want to get back to the major issue involved here. In last July's hearings on the F-111, we were assured that all of the problems with these planes that we were questioning the Defense officials about would be fixed in airplane No. 31, the first so-called "production configured" airplane.

The Aviation Week reporter was told that airplane No. 44 is now considered to be the real production configuration. Yet the actual fact of the matter is that airplane No. 160 is the first one that will really have all of the scheduled engineering fixes built into it. To name a few, it gets a new air intake and a new speed brake, both of which we were assured 8 months ago would be tested and ready for airplane No. 31.

These airplanes are quoted by the Pentagon as costing some \$6½ million each, and to my mathematical reckoning that means that over \$1 billion will be spent building F-111A's before they get around to producing one that really works as advertised. As a matter of fact, they even plan to change the name of the F-111A to the F-111E when they finally get to that number 160, which indicates to me that there must be quite an improvement in it if it is worthy of a new name.

Now, the F-111A is supposed to be the Air Force's primary tactical bomber during the decade of the 1970's. What they

are going to be doing with those first 160, I do not know. They are going to be a distinctly inferior version, with many, many built-in deficiencies and weaknesses. Is there some particular reason for wanting to get all those planes built immediately, other than to be able to say that the contract has been kept "on schedule"? After all, they are supposed to be one of our mainstays of defense for many years to come, and in view of the new advancements that the Russian planes are showing, I think that we had better be ready with our best, and only our best, in the years ahead.

Mr. President, in conclusion, I have two recommendations to make on this F-111A program. First, I think it is mandatory that the remaining five "Harvest Reaper" airplanes be brought back immediately from Vietnam and not returned to combat until they are fully tested and ready. I also think it is imperative that the production line be held up until the design of the airplane number 160 configuration is completed and tested and can be incorporated into the very next plane the Air Force buys. If this drastic step is not taken, then we will truly be committing another billion dollar blunder in this TFX program which already has cost the American taxpayers many, many fruitless billions of dollars.

Mr. President, I leave these recommendations to be considered by the Congress, by the Defense Department, and by the President. I can only hope that those with authority will act upon them.

Mr. President, I ask unanimous consent that the appropriate pages, 1052 to 1058, from last year's F-111 hearing, held July 14, 1967, be printed in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF DEFENSE APPROPRIATIONS FOR FISCAL YEAR 1968—PART 3

(Excerpt from the hearings before the Subcommittee of the Committee on Appropriations, U.S. Senate, 90th Congress, first session, on H.R. 10738, making appropriations for the Department of Defense for the fiscal year ending June 30, 1968, and for other purposes)

TAKEOFF WEIGHT GUARANTEE OF AIR FORCE PLANE

Senator McCLELLAN. The takeoff weight guarantee, as I recall, the takeoff weight of the Air Force plane was 69,122 pounds. What do you say, or give us your estimate of what its weight is going to be now as you did for the Navy?

Mr. NITZE. I will supply that for the record.

COMBAT CEILING GUARANTEE

Senator McCLELLAN. Combat ceiling was guaranteed at [deleted] feet. Your estimate of what it will actually be? This I would like to know about. With an [deleted] mile radius mission to penetrate at a low-level dash to the target at mach [deleted] for [deleted] nautical miles. That was guaranteed. Now my understanding is that it will not do that, that it is down below [deleted]. And that is your estimate that it will be below [deleted]. Quite a deficiency. What can you say about that as of now?

Mr. NITZE. May I supply the answer to that for the record?

Senator McCLELLAN. Very well.

(The information follows:)

"It is estimated that the initial operational F-111A will have a gross take-off weight of

approximately 81,400 pounds for the basic design mission.

"(Additional classified material has been furnished separately to the Committee.)

"The F-111A has flown to an altitude of over [deleted] at heavier than combat weight in the flight test program. The current Air Force estimate for the production aircraft combat ceiling under specification conditions is [deleted] feet.

"(Additional classified material has been furnished separately to the committee.)

"Since the 1962 evaluations, it has never been estimated that supersonic dash of [deleted] nautical miles, the originally stated parameter, could be provided over a total mission radius of [deleted] nautical miles. The current estimate is [deleted] nautical miles. At the [deleted] nautical mile figure cited, the total mission radius as currently estimated would be approximately [deleted] nautical miles. This represents a significant increase in existing tactical air capabilities and is considered militarily acceptable, particularly in view of the inherent flexibility of the F-111A for forward basing. The range can also be substantially extended by the use of external tanks and in-flight refueling, provisions for which have been included in the F-111A.

"(Additional classified material has been furnished separately to the Committee.)

"Under the contractual provisions on the correction of deficiencies, the contractor is penalized by a downward adjustment in the R&D contract price for any uncorrected failure to meet contract specifications."

FERRYING RANGE

Senator McCLELLAN. Your ferrying range was guaranteed at [deleted] nautical miles. Whereas, the actual capability estimate as of now is what?

Mr. NITZE. About [deleted].

Senator McCLELLAN. According to my information [deleted].

Mr. NITZE. I think it is in excess of that. I think they have demonstrated [deleted].

Senator McCLELLAN. It will be considerably lower. You have had the same experience in the same areas with the Air Force plane as with the Navy?

Mr. NITZE. I think what the Air Force is interested in is a ferry range of [deleted] miles and I think they are confident that they will meet that.

ACCEPTABILITY

Senator McCLELLAN. Again we come back, it is going to be acceptable. That is a word that we are having to use in this program, where it fails to meet the requirements and so forth we come back to the word "acceptable."

OPERATIONAL REQUIREMENT FOR SUPERSONIC DISTANCE

What was the Air Force's specific operational requirement for supersonic distance in the [deleted] mile radius mission when General Dynamics was awarded the contract in 1962? Was it not [deleted] miles?

Mr. NITZE. [Deleted] miles.

Senator McCLELLAN. Has that basic requirement changed?

Mr. NITZE. I think the Air Force is prepared to live with less than that.

Senator McCLELLAN. It would have to if it can't get that. If it can't get it it will have to live with less. How much less?

Mr. NITZE. May I supply the specific figure for the record?

Senator McCLELLAN. Very well.

(The answer was previously provided for the record on p. 1052.)

REQUIREMENT FOR FERRY RANGE

Senator McCLELLAN. What was the Air Force's specific requirement for ferry range? You stated you thought it was [deleted].

Mr. NITZE. I think the contract provision was [deleted]. I think what they really need is [deleted]. I think that is what they think they can get.

Senator McCLELLAN. They will take [deleted] whereas they contracted for [deleted] without penalty.

Mr. NITZE. This is the same situation as with the weight problem with respect to the B.

Senator McCLELLAN. What is the ferry range of Air Force plane No. 31 now estimated to be?

Mr. NITZE. May I supply that for the record? I think what has been demonstrated, as I said before, is around [deleted].

(The information follows:)

"The Air Force ferry range requirement is defined in terms of non-stop deployment to Europe, as recently demonstrated, and specifies an unfueled mission of [deleted] nautical miles. It is estimated that F-111A #31 will have the capability of meeting this requirement."

(An additional request was made to include information on the basic airplane ferry range in the same configuration as the proposal plus increments for (a) bomb bay tanks; (b) Navy wing tips; (c) external tanks; and (d) whether or not the 5-percent fuel flow factor is included. The information follows:)

"a. F-111A No. 16 (RDT&E) has flown some [deleted] NM with internal fuel (excluding the weapons may tank). With incorporation of scheduled changes to the TF-30/P-3 engine, some [deleted] NM in additional range is expected.

"b. The range increments for the items stated are estimated as follows: left hand weapons bay tank—[deleted] NM, wing tips—[deleted] NM, two external fuel tanks—[deleted] NM.

"c. The demonstrated range of [deleted] NM has not been degraded for higher engine fuel flows."

Senator McCLELLAN. According to my information here it is between [deleted] miles.

Mr. NITZE. I think it is substantially in excess of that.

Senator McCLELLAN. If you put the Navy tips on it, I think that increases the range a little, does it not?

Mr. NITZE. That would be over and above what I have said. That will contribute toward the [deleted].

Senator McCLELLAN. You put the Navy wingtips on the planes, don't you?

Mr. NITZE. Yes.

Senator McCLELLAN. That increases the range another [deleted] miles, does it not?

Mr. NITZE. Yes.

I think the [deleted] has been demonstrated without the Navy tips.

CALCULATED ALLOWANCE FOR FUEL

Senator McCLELLAN. Let me ask you this. There is a 5-percent calculated allowance, is there not, for fuel on this ferry range flight; is that correct?

Mr. NITZE. I think that is correct, but I would like to check that.

Senator McCLELLAN. Is that 5 percent?

Admiral McDONALD. Are you familiar with this Air Force version, Bill?

Admiral SWEENEY. Yes, sir. I think the Secretary has given the figures that the Air Force has given us.

Senator McCLELLAN. I want to ask you if that 5 percent was not omitted in giving this total range?

Mr. NITZE. I don't know the answer to that.

Admiral SWEENEY. The 5 percent is in addition to the range calculation.

AIR INLET CONFIGURATIONS

Senator McCLELLAN. You spoke a while ago about Triple Plov 1; is that correct?

Mr. NITZE. That is right.

Senator McCLELLAN. There is a Triple Plov 2; is there not?

Mr. NITZE. There is.

Senator McCLELLAN. According to the Air Force plane, there is trouble with the speed brake. Is that correct?

Admiral SWEENEY. Yes, sir. We are having some vibration in the speed brake.

Inadequate inlet

Senator McCLELLAN. According to this information that I am quoting from, it will have an inadequate inlet. I understood you a while ago as saying that inlet was sufficient and it would not have to be enlarged.

Mr. NITZE. That is my understanding.

Senator McCLELLAN. It will have an inadequate inlet. It will be unstable at landing, center of gravity too far out and will not have a usable speed brake. This is Air Force plane No. 31 I am talking about. These are some of the estimates on it. An inlet design that should be safe, however, has resulted from the 6 months of extensive wind tunnel testing at the end of 1966 through the spring of 1967. This wind tunnel program, as I understand it, was directed by Mr. Fred Rall, the Air Force's top inlet expert. Is that correct?

Admiral CONNOLLY. That is correct.

Senator McCLELLAN. Did he not come up with this recommendation to you with a configuration called Triple Plov No. 2?

Admiral SWEENEY. Yes, sir; which is the one we are putting on.

Senator McCLELLAN. Did that not include blunting or rounding the inlet lips?

Admiral SWEENEY. Yes, sir.

Senator McCLELLAN. Moving the inlet 4 inches outboard from the fuselage?

Admiral SWEENEY. Yes, sir.

Senator McCLELLAN. Increasing the area 10 percent?

Admiral SWEENEY. Yes.

Senator McCLELLAN. I thought you said it didn't a while ago.

Rall report

Mr. NITZE. I was talking about Triple Plov No. 1.

Admiral CONNOLLY. This is the Rall report you are talking about. That is what it included.

Senator McCLELLAN. That is what he recommended. Whether you put it on the Air Force plane or not it has been recommended in order to solve this problem; has it not?

Also No. 4, replacing the translating cowl with blow-in doors. Is that contemplated?

Admiral SWEENEY. We are working on that.

Senator McCLELLAN. Are all of these being done or just three being done and the area inlet not being increased? Which is correct?

Admiral SWEENEY. They are all being done to the Navy airplane, but not for the F-111A. Senator McCLELLAN. You are not doing that for the Air Force 111-A?

Utilization of Triple Plov No. 2

Mr. NITZE. As I understood it, Triple Plov No. 2 will be put on an Air Force plane in August and will be flown experimentally, but it is not contemplated that that will go on Air Force No. 31.

Senator McCLELLAN. It will be a later plane?

Mr. NITZE. I think it is the Air Force's view that Triple Plov No. 1 is adequate because it has opened up the envelope that they require to mach [deleted].

Senator McCLELLAN. This consideration or something else has supplanted this since the recommendations have been made?

Mr. NITZE. What I said was that they are going to put Triple Plov No. 2 on an airplane which will fly experimentally in August. They will see how it compares in effectiveness and efficiency with Triple Plov No. 1. No. 1 is the one they are contemplating for Air Force No. 31. That one has No. 1 without the recommendation of the Rall report and has opened up the envelope that is adequate to the Air Force.

Senator McCLELLAN. The one you will fly this summer will not have the enlarged intake?

Mr. NITZE. I think it will. Will the one in August have the enlarged inlet?

Admiral SWEENEY. Not the enlarged one. Just the inlet move out 4 inches from the fuselage. The enlarged one is going for the P-12 only.

Configuration Change

Senator McCLELLAN. Is not the moving out of these inlets a major operation, so to speak?

Admiral SWEENEY. It is a structural change. Senator McCLELLAN. A configuration change?

Admiral SWEENEY. Yes, sir.

Senator McCLELLAN. The landing center of gravity is so far out that the plane is unstable at landing. This gives the pilot a difficult control problem particularly if the artificial stability like an autopilot built into the flight control system should not be working. This defect was reported in 1964 by an outside review committee of civilian experts, yet nothing has been done to correct it. Is that correct?

Admiral CONNOLLY. Are we talking Air Force airplanes?

Mr. NITZE. I would like to supply the answer to that for the record.

Senator McCLELLAN. The wings cannot be swept any further back in the Air Force plane since they are already at the full aft position from flaps down 26 degrees. The only quick solution is to add lead ballast in the nose; about [deleted] pounds will be required to make the airplane stable. Is that correct?

Mr. NITZE. I think there are other ways of curing this problem. Again I would like to supply the answer for the record.

(The information follows:)

"Flight tests have shown that the F-111A fully meets the requirements with respect to static balance under the standard established design conditions with the Stability Augmentation System (SAS) in operation. Even in the event of emergency conditions when there is both a complete failure of the Low Speed Trim Compensator (LSTS) and the aircraft is light with minimum fuel reserves no ballast is required. Negative static margin can be avoided under these conditions by small increases in the approach speed in the same manner as for other operational conditions such as high wind gusts."

Senator McCLELLAN. The speed brake causes extreme and unacceptable buffeting or shaking of the airplane when open at supersonic speeds. Does that condition still prevail?

Mr. NITZE. It buffets and it needs to be made better, but it is not that bad.

Senator McCLELLAN. Can it be opened now to full deflection subsonically without similar unacceptable buffeting?

Admiral SWEENEY. This is the Air Force plane.

Senator McCLELLAN. This is substantially the same thing.

Admiral CONNOLLY. We can give that for the record, sir.

Senator McCLELLAN. Do you know?

Admiral SWEENEY. I know the contractor is experiencing some vibration such as this.

Senator McCLELLAN. Also it causes engine compressor stall due to its location near the engine inlet. Is that a factor?

Admiral SWEENEY. It is considered a possible factor.

Senator McCLELLAN. In short the present design of the speed brake is not operationally ready. Is that correct?

Admiral CONNOLLY. I would agree with that, yes, sir.

ADEQUACY OF AIR BRAKE

Senator McCLELLAN. The result is that the pilot does not have its use for, one, maneuvering in dogfighting; two, holding stable speed in dive-bombing runs and, three, rapid slowdown in emergency. Is your present air brake adequate for those functions?

Admiral CONNOLLY. No, sir.

Mr. NITZE. I would rather have a reply for the record.

(The information follows:)

"The original speed brake design caused moderate to severe buffet at high speed. However, the contractor has designed and is testing a modified speed brake that is expected to perform acceptably up to the established structural limits of the aircraft. This speed brake is scheduled for installation in Air Force aircraft Number 31 and subsequent."

(Additional information was requested as to whether the speed brake is operable within the speed and altitude limits, including a statement as to whether or not the airplane buffet is acceptable. The information follows:)

"It is anticipated that the redesigned speed brake now being tested will be operable throughout the flight envelope with an acceptable level of buffet."

Senator MUNDT. May I ask a question at that point?

Senator McCLELLAN. Yes, sure. I am trying to hurry along. Go ahead.

Senator MUNDT. In view of this exchange of testimony, will you comment on this Washington Post article this morning:

"It is expected to send some TFX's—F-111's—the headline says, 'TFX'—'into Vietnam in an operation called Harvest Reaper to start bombing sites now.'"

How can you send a plane with those deficiencies in combat duty.

Mr. NITZE. [Deleted.]

Senator MUNDT. [Deleted.]

Mr. NITZE. [Deleted.]

Senator MUNDT. All these things you have been responding to, to Senator McClellan, would have to be corrected before you could take these planes in combat?

Admiral McDONALD. Some of these he has been speaking to recently; yes.

Senator MUNDT. This is the Air Force plane?

Admiral McDONALD. What he has been talking to about recently would have to be corrected; yes.

Senator MUNDT. That is what I am talking about.

Mr. NITZE. [Deleted.]

Senator MUNDT. It says here:

"The Air Force plans to announce soon that the first F-111A crews will start receiving combat training at the Air Force base at Las Vegas."

I don't see how you can train the crews to get ready for this kind of operation if you have bad speed brakes, if you have bad buffeting from the speed brakes, or if you cannot do the other things you have been saying to Senator McClellan about the plane. Maybe the story is wrong, but I don't know. We ought to have it in the record because we are going to be confronted with that; we have a plane now that we can win the war with in Vietnam.

F-111 CAN FLY

Admiral CONNOLLY. We sit here and discuss all the things wrong with the F-111. There are some things that the F-111 can do. It can fly. Even though the speed brake is not what it ought to be, we can fly without it. It has gone [deleted] on the deck with the same bum speed brake. It won't serve the pilots' needs like it should, and it ought to be fixed and fixed properly, but it still can fly [deleted].

Senator MUNDT. I think so, too. If you are going to take it out before it is fully operational, with a billion and a half dollars invested in research, and get it shot down in a dogfight by some Russians so that they get all the research free, I don't think it is a good bargain.

Admiral CONNOLLY. I agree with you. [Deleted].

Senator McCLELLAN. It was supposed to be a tactical fighter when it started.

Senator JACKSON. Tactical fighter experimental.

Mr. NITZE. [Deleted.] What has been decided is to try to get a capability.

Senator McCLELLAN. It started out as a fighter.

Mr. NITZE. This will be very carefully vetted before a decision is made.

Senator McCLELLAN. Is it not going to be a good fighter plane?

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, it is now clear that this bill will not be finally enacted before April 1. The House of Representatives has already adjourned for the weekend and they will not reconvene until after the statutory deadline—which is midnight Sunday.

I understand there is some misapprehension among the automobile dealers and manufacturers as to how the tax should be handled during the early part of next month while Congress is finishing its work on this bill. The telephone companies, too, should know what tax they should apply in the brief interval between the April 1 deadline and the final enactment of this bill.

I want to make it as clear as I possibly can that the way this bill is drafted—the way it passed the House—and the way it is being considered here today—there will be no temporary reduction in the 7-percent automobile tax and there will be no reduction in the 10-percent tax on telephone service. It has not been intended that these taxes would go down on April 1 and this bill, H.R. 15414, makes it clear that they will not be reduced on that date.

The bill does not permit any "temporary" reduction in these excise taxes. Under the bill, there will be no roller-coaster effect on these rates just because April 1 comes before the bill is finally enacted. To the contrary there will be a continuation, throughout the interval between April 1 and the date of final enactment of this bill, of the 7-percent excise tax on automobiles and the 10-percent tax on telephone communications.

I urge those industries to proceed with "business as usual" next week. We are going to continue these taxes and there will be no break—or interim period of reduction—in the rate.

That is clear from the bill.

The Internal Revenue Service has advised the auto companies and the telephone companies by a special news release—dated March 28—that in planning for the period following April 1, they should take the excise tax extension bill into account.

I ask unanimous consent that this news release be printed at this point in the RECORD.

There being no objection, the news release was ordered to be printed in the RECORD, as follows:

MARCH 28, 1968.

WASHINGTON, D.C.—The IRS today said if the Tax Adjustment Act of 1968 is enacted in its present form, reductions in excise taxes on autos and telephone service scheduled for April 1, 1968, will not take place even though the bill is not approved until after that date.

Under these circumstances, auto manufacturers and phone companies will continue to

be liable for excise taxes at existing levels after April 1.

Under present law, the excise tax on manufacturers' sales of autos is scheduled to be reduced from 7 percent to 2 percent on cars sold on or after April 1. Similarly, the excise tax on amounts paid for telephone service would be reduced from 10 percent to 1 percent effective April 1, 1968.

The Tax Adjustment Act of 1968, as passed by the House and reported to the Senate by its Finance Committee, provides for continuation of these excise taxes at their present rates until Jan. 1, 1970. However, the pending bill repeals the existing provisions dealing with floor stock refunds.

Under the bill's effective date, which is March 31, there would be no reduction in the tax rates on April 1, 1968, even though the bill is not enacted until after that date.

The IRS suggested that auto manufacturers, telephone companies, and others liable for excise taxes under sections 4061 and 4251 of the Internal Revenue Code take this excise tax extension bill into account in planning for the period following April 1.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, if Senators desire me to yield them additional time, I shall be glad to yield for statements, reserving my right to the floor.

Mr. MAGNUSON. Mr. President, may I ask the Senator from Louisiana a question, on behalf of the Senator from California [Mr. KUCHEL], not pertaining to the bill? It was planned to bring up a bill on the calendar pertaining to fishing vessels. Is that still the plan?

Mr. LONG of Louisiana. It will not come up until some time after we dispose of the pending bill.

Mr. MAGNUSON. We will still go right on until we dispose of the pending bill, and then the Senate will consider the fishing vessel bill?

Mr. LONG of Louisiana. Yes; some time after we dispose of the pending bill.

Mr. MAGNUSON. The Senator from California [Mr. KUCHEL] wanted me to ask.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. COTTON. Is it the purpose of the Senator to have a third reading of the substitute and then go over until Monday?

Mr. LONG of Louisiana. I regret that is not possible. I tried to limit debate as much as possible. It simply is not possible. I regret it.

Mr. COTTON. I want to cooperate with the Senator. If this substitute goes over until Monday, there are people in my State deeply interested in the shoe situation. There are in my State people deeply interested in the electronics situation. There are Senators who have people in their States interested in beef. Between now and Monday, there can be much pressure. If it were possible to vote on the substitute now, we would not have the door open, and a long list of amendments they might be compelled to offer, even though they dislike to do it. On the other hand, we can hardly consent to having a third reading bar others, and then wait until Monday.

Mr. LONG of Louisiana. I have not asked that. I would welcome the opportunity to discuss the parliamentary situ-

ation confidentially with the Senator. I believe I have made my position as clear as I can with the Senator.

Mr. COTTON. This Senator does not want any confidence handed to him. I wanted to know whether we were going over until Monday and leave it open.

Mr. LONG of Louisiana. I desire to move to adjourn as soon as Senators conclude statements they may have.

Mr. COTTON. Without third reading?

Mr. LONG of Louisiana. Yes.

Mr. COTTON. I thank the Senator.

Mr. CARLSON. Mr. President, yesterday amendment No. 644 was adopted, which dealt with hospitals. The amendment was approved to the Smathers-Williams amendment. I ask unanimous consent that it be transferred to the bill as reported by the committee, if the Chairman has no objection.

Mr. LONG of Louisiana. Mr. President, can that request be agreed to?

The PRESIDING OFFICER. What was the request?

Mr. LONG of Louisiana. That the Carlson amendment (No. 644) be added to the bill.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

Mr. MORSE and Mr. THURMOND addressed the Chair.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my right to the floor, I may yield to Senators briefly.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG of Louisiana. I had promised to yield to the Senator from Oregon [Mr. MORSE].

Mr. MORSE. Mr. President, I send to the desk an amendment to the present substitute and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed and lie on the table a series of amendments now being prepared that I shall introduce on Monday.

The PRESIDING OFFICER. The amendments will be received and printed, and lie on the table.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that, without prejudicing my right to the floor, I may yield to the Senator from South Carolina [Mr. THURMOND] 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

VIOLENCE IN MEMPHIS

Mr. THURMOND. Mr. President, this morning's papers are filled with stories and headlines about the violence which erupted in Memphis, Tenn., as a result of Martin Luther King's supposedly non-violent demonstration in favor of the Memphis sanitation workers. These news stories clearly indicate that there was no provocation for this violence, except the

heated tension that Martin Luther King himself has built up in that city.

Fires, looting, vandalism, and violence are the natural outcome of King's tactics. Newspaper pictures showed policemen with blood streaming down their faces as a result of attempting to restore law and order. Everywhere that King goes, he says that he does not intend to stir up violence and hatred. Yet it is an accepted maxim of law that he who pursues a certain course of action may be assumed to have intended the natural consequences of that action. The events in Memphis are the natural consequence of King's course of action.

Mr. President, King says that he is nonviolent. Nevertheless, he has linked his cause with the most outspoken advocate of violence in the United States, Stokely Carmichael. In a press conference described by Frank van der Linden, and published as an article in the Charleston News and Courier, February 11, 1968, King is quoted as saying that he was not "worried" about the danger that more militant Negroes might resort to open violence in the planned demonstrations here in Washington. I wonder what King says today after the Memphis affair? Was his demonstration infiltrated by Negroes who were more militant, or were King's own followers worked up to a fever pitch or agitation? I do not think the distinction is very important. Human nature is human nature. Once passions are unleashed, there is no way they may be held in control. King knows exactly what he is doing.

I would like to point out some more of King's statements last month. He said that if his demands are not met, then "we will consider disruptive protests and it will be necessary to go to broader civil disobedience." Surely this is stretching human nature too far. He is deliberately provoking his followers to violence. King says further:

We will not destroy life or property, but we happen to know that non-violence must be militant.

Examine that phrase: militant non-violence. It is a contradiction in terms. This is Orwell's Newspeak, where words mean the opposite of their accepted meaning. War is Peace; Love is Hate. It is apparent that King is not only doing violence to language but is also doing violence to our Nation. Unless protective steps are taken, what happened in Memphis is what will happen in Washington. I wonder if he is already planning to have another car waiting in the alley, as he did in Memphis, so that he can scoot away to safety.

Mr. President, these demonstrations are inspired or directed by men who do not believe in our representative form of government. King and his followers are seeking to tie up the organs of government so that democracy will be paralyzed. Blackmail and mob rule have no part in our system of government. King and his followers are proposing such tactics in order to bring our Government down. I believe that President Lyndon Johnson knows what King is trying to do, and that he should do something about it. I call upon President Johnson to make

public the information about King which is available to him. This information is openly talked about in Washington. References to it have appeared in the newspapers. I challenge the administration to let all the citizens of this country know what kind of a man King really is, and what his true purpose is.

The article I have just been quoting, by Frank van der Linden, has a headline entitled "King, Carmichael To Join Forces." I have here another article, by UPI writer Jack V. Fox, published in the Northern Virginia Sun, which has a headline that reads as follows: "Carmichael Conducting Sabotage School in the District of Columbia."

Mr. President, I ask you to consider these two headlines in conjunction: "King, Carmichael To Join Forces," and "Carmichael Conducting Sabotage School in District of Columbia." I believe these headlines speak for themselves.

I ask unanimous consent that the articles, "King, Carmichael To Join Forces," written by Frank van der Linden and published in the Charleston News and Courier of February 11, 1968, and "Carmichael Conducting Sabotage School in the District of Columbia," written by Jack V. Fox and published in the Northern Virginia Sun of February 28, 1968, be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

KING, CARMICHAEL TO JOIN FORCES (By Frank V. D. Linden)

WASHINGTON.—Dr. Martin Luther King and black power revolutionary Stokely Carmichael are allies now and will work together in a massive civil disobedience campaign in Washington, D.C., starting the first or second week in April.

King, after meeting privately with Carmichael and other Negroes here, said their campaign might last all summer and affect the presidential race.

The presidential candidate who responds to the Negroes' demands for jobs, income, and housing, "will get the Negro vote," the Atlanta minister said.

"We'll have the Negro community, by that time, so fired up by our demands that they will refuse to support the candidate who opposes them."

NONVIOLENT TACTICS

King said his demonstrators would first try non-violent tactics to pressure Congress into adopting a program for the "poor," to cost from \$10 to \$30 billion. It would include a guaranteed annual income for everybody, "good housing and free choice of neighborhoods."

If Congress refuses, the protests will "escalate to a level much more massive" and "it may be necessary to block a little traffic," he said. But he wasn't "worried" about the danger that more militant Negroes might resort to open violence.

King said Congress will be to blame if the cities have another summer of riots. "Our nation will sink deeper and deeper into the tragic valley of chaos and our cities will continue to go up in flames," he said.

King feared that another "dark desolate summer would lead to more repression and a Fascist state . . . a rightwing take-over" of the government.

King conceded that Congress would not eagerly adopt his proposals at a time when the government has a large deficit because of the "senseless, cruel war in Vietnam," which he bitterly opposes.

He predicted that Southern Democratic chairmen of key committees in this "rural-dominated Congress" would cooperate with "right-wing Republicans" to hold down domestic spending.

OTHER MEANS

If appeals to Congress do not solve this "desperate situation," King said, "we will then consider disruptive protests and it will be necessary to go to broader civil disobedience."

"Our aim is not to tie up Washington," he added. "Our civil disobedience will be centered on the government and Congress, not the city." Blocking traffic on streets and bridges, he said, would be "a last resort."

King foresaw "simultaneous demonstrations in more than 15 other cities" and said some Negroes "may picket Congressmen's homes and offices."

King said he and Carmichael had agreed to work together in "the most effective way" and Carmichael "made it clear he would not engage in a philosophical debate over non-violence."

Asked if he "welcomed" the Black Power chieftain, King replied that he welcomed "all organizations" to aid his cause.

"Our operations will be nonviolently executed," he said. "We will not destroy life or property, but we happen to know that non-violence must be militant. We often have to be obedient to a higher law to make people see the problems."

SENSE OF HOPE

"If Congress had sense enough," King said, it would "sign a promissory note" of at least ten billion dollars in aid to the Negroes and the poor, to give them "some sense of hope," and ease their "anger and despair."

King, who has talked about building a settlement of tumble-down shacks amid the cherry blossoms, to dramatize the plight of the poor, said these "shanty towns" wouldn't necessarily be illegal.

"Poor have built tent towns in Washington before," he said. "We are not going to be driven out."

If forced off public property, he indicated, his followers could build their shacks on "private property" in "two or three different places."

SUSPEND PROTEST

King said he might have to suspend his Washington project temporarily in the summer so that his people could demonstrate at the two major national political conventions. The Republicans will meet at Miami Beach, Fla., Aug. 5 and the Democrats at Chicago, Aug. 26.

"There are those who feel very strongly that we must have demonstrations at the conventions," he said.

King also is expected to join the pickets protesting President Johnson's Vietnam war policies. Chicago authorities are so worried about the danger of violence that Mayor Richard Daley has announced plans for beefing up his police force.

Helicopters may be used to fly the President and other officials from their downtown hotels to the Chicago convention hall.

Dr. King outlined his demonstration plans at a press conference at the Church of the Redeemer in Washington. On a bulletin board in the sanctuary was a poster bearing a picture of a Negro woman and this message:

"Black is beautiful—it's so beautiful to be black. Dr. Martin Luther King, Jr., Southern Christian Leadership Conference."

CARMICHAEL CONDUCTING SABOTAGE SCHOOL IN DISTRICT OF COLUMBIA
(By Jack V. Fox)

The kingpin of violent Negroes in America is Stokely Carmichael. He is now conducting

a secret school for black militants in Washington.

Carmichael told newsmen in Paris last autumn he hoped for a U.S. defeat in Vietnam. Not withdrawal. Defeat.

Carmichael was on his way back from visits to Cuba and North Vietnam.

He held a press conference at the "Latin American Solidarity Conference" at the Havana Libre Hotel (the old Havana Hilton). At Carmichael's request, American newsmen were barred but the Algerian Press Agency reported his comment on the racial picture in the United States.

"Only the gun can pull us out of this situation," Carmichael said.

"Up to last year we were organized only to defend ourselves, since the white man had convinced us that violence was bad for our struggle even though he was using it freely outside the United States."

"Now our people employ passive violence. However, the line between defensive and offensive violence is a slight one. Once an individual has fired a gun to defend himself, he is capable of using it to attack. We are advancing toward guerrilla violence in the American urban center."

Barry Goldwater says Carmichael should be tried for treason. If found guilty, he should be sentenced as a traitor.

According to reliable informants, Carmichael is operating in Washington a school for black militants from about a dozen cities. The location of the school and its curriculum are secret but it is not anything so sensational as a "School for Sabotage."

Carmichael is said to be teaching some 50 militants how to organize the black community in each ghetto, to obtain key positions of leadership so they can call signals if and when there is a riot or other incident. The militants are then to go home and conduct similar schools in their own communities.

This month, Carmichael held two private meetings with Dr. Martin Luther King. Carmichael is reported to have promised King not to try to take over, or inject violence into King's "Mobilization of Poor People" which is supposed to begin in the Capital in early April.

Why doesn't the Department of Justice prosecute Carmichael?

"We feel we do not have enough evidence to warrant prosecution of Mr. Carmichael on any federal charge," a spokesman told UPI. "We will try to match prosecutions with any violations we do find. But the department will not institute a prosecution unless it has conclusive evidence."

High administration officials fear prosecution which failed to produce ironclad evidence and secure a conviction would make a martyr of Carmichael and fire up the black community worse than ever. Legal officials point out that courts traditionally have been loathe to convict any man of sedition just for shooting off his mouth.

Carmichael is a native of Trinidad, a handsome West Indian who can be charming of manner. Now 27, he came to New York in 1952 and became an outstanding student among 50 Negroes at the Bronx High School of Science, mixing amiably with whites.

He went on to graduate from Howard University with a degree in philosophy.

He participated in a sit-in in Virginia in 1960 and quickly became involved in the civil rights movement. By 1966, he had become chairman of the Student Nonviolent Coordinating Committee. Originated in 1960 at the urging of King, SNCC had swung far from the teachings of its patron.

After the killing of Malcolm X, the Black Muslim whose autobiography is virtually a bible to militants, Carmichael replaced him as something of a national figure for extremists. He has been jailed, briefly and on various local charges, 27 times. Today he

is the idol and is quoted by many of the angry men in the ghettos.

One of those attracted was H. Rap Brown. A six-foot, three-inch native of Baton Rouge, La. At Southern University where he majored in sociology he was Hubert Gerold Brown.

He was dropped from the school in his senior year for failure to attend classes.

Last May he succeeded Carmichael as chairman of SNCC. Carmichael said at the time, "People will be glad to have me back when they hear him—he's a bad man."

Brown fulfilled his buildup. At his first press conference he attacked Lyndon Johnson as a "Mad Dog." "Violence is as American as cherry pie," he said.

A few nights later at a gathering of 1,000 Negroes in a Washington church, Brown said:

"Get you some guns and burn this town down if it doesn't come around don't love the white man to death. Shoot him to death."

"The American civil rights movement is dead. It is going to be replaced with something else. The people of America will have to wait and see."

A few months later he was charged with inciting to riot and arson in Cambridge, Md. The trial is pending. In August he was released on \$15,000 bail in New York after being charged with carrying a loaded .30-caliber carbine on a plane to New Orleans and back. In January he grappled with a New York policeman outside the Cuban United Nations mission and faces trial for interfering with an officer's performance of duty.

Last Tuesday, he was arrested again—this time for making an unauthorized trip to California while under court order to stay in New York. He had gone to Los Angeles to appear at a black power rally with Carmichael.

There are many responsible people who feel the Carmichaels and Browns have been built into bogeymen, alarming and inflaming both the Negro and white communities, by the mass media reporting of their actions and particularly their words.

If it were only a handful, it might be well to let them shrivel in obscurity. But there are dozens like them, as bad or worse, spouting off in the Negro neighborhoods of most big cities.

In Chicago, the angriest man in the black slums is Russell Meek, 34, chairman of the Afro-American Unity Committee and the Black Impeachment Committee. Meek has a goatee and mustache, usually dresses in Afro-styled garb with beads and bracelets. He participated in the open housing march into the white suburb of Cicero in September, 1966, in which six persons were seriously injured and more than 30 arrested.

Meek buys one hour of radio time from a Chicago FM station and broadcasts from his living room Sunday night at 10 p.m.

"I teach blacks to love blacks and to hate injustice, oppression and the people who create this—white people, of course," he says.

He warns whites: "The die is cast, you shall pay for the past."

"No more Negro generations will grow up under the same conditions as this one has, this I swear." Meek declares, "I don't advocate riots. I advocate revolution."

His type of revolution calls for isolation of Negro neighborhoods—anyplace where Negroes are in a majority—from white communities. Once in control, the blacks should live in cooperatives and share responsibilities and income.

TAX ADJUSTMENT ACT OF 1968

The Senate resumed the consideration of the bill (H.R. 15414) to continue the

existing excise tax rates on communication services and on automobiles, and to apply more generally the provisions relating to payments of estimated tax by corporations.

Mr. LONG of Louisiana. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Monday.

Mr. BYRD of Virginia. Mr. President, will the Senator withdraw that motion, and yield briefly to me?

Mr. LONG of Louisiana. How much time does the Senator from Virginia require?

Mr. BYRD of Virginia. Two minutes.

Mr. LONG of Louisiana. Mr. President, I withdraw the motion and yield 2 minutes to the Senator from Virginia.

AMENDMENT NO. 692

Mr. BYRD of Virginia. Mr. President, I send an amendment to the desk, and ask that it be printed.

The PRESIDING OFFICER. The amendment will be received and printed, and will lie on the table.

Mr. BYRD of Virginia. The purpose of this amendment is as follows: As I understand the pending proposal, if the surtax is agreed to, it would become effective April 1. It is now obvious that the bill will not be enacted by that date, and it seems to me that, unless the date is changed, wage earners and other taxpayers will be called upon to pay taxes

retroactively which have not been deducted from their paychecks, which would be a hardship and a burden on them.

My amendment would make the effective date of the surtax the first day of the month following whatever date the bill is signed into law.

ADJOURNMENT TO MONDAY

Mr. LONG of Louisiana. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 45 minutes p.m.) the Senate adjourned until Monday, April 1, 1968, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29 (legislative day of March 27), 1968:

U.S. AIR FORCE

Lt. Gen. Jack G. Merrell, FR1687 (major general, Regular Air Force), U.S. Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of general, under the provisions of section 8066, title 10, of the United States Code.

U.S. NAVY

The following-named officers of the Navy for permanent promotion to the grade of rear admiral:

LINE	
Thomas D. Davies	Ernest W. Dobie, Jr.
Fillmore B. Gilkeson	Dick H. Guinn
John R. Wadleigh	Maurice F. Welsner
Burton R. Shupper	Roy M. Isaman
Frederick E. Janney	Frederick H. Michaelis
Robert B. Erly	Roy G. Anderson
Valdemar G. Lambert	William E. Lemos
Ben B. Pickett	Gerald E. Miller
Leslie J. O'Brien, Jr.	Isaac C. Kidd, Jr.
William N. Leonard	James F. Calvert
Walter L. Small, Jr.	Elmo R. Zumwalt, Jr.
Lucien B. McDonald	James J. Stilwell
Leroy V. Swanson	John W. Dolan, Jr.
Frank W. Vannoy	William C. Hushing
Thomas J. Rudden, Jr.	James H. Smith, Jr.
Charles D. Nace	Kenan C. Childers, Jr.
Lloyd R. Vasey	

MEDICAL CORPS

Frank B. Voris

SUPPLY CORPS

Fowler W. Martin

Frederic W. Corle

Joseph L. Howard

IN THE NAVY

The nominations beginning Peter D. Abbott, to be lieutenant commander, and ending Paul F. Bolding, Jr., to be a permanent chief warrant officer (W-3) and a temporary chief warrant officer (W-4), which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 18, 1968.

IN THE NAVY AND MARINE CORPS

The nominations beginning William M. Adney, to be ensign in the Navy, and ending Francis P. Warrington, to be second lieutenant in the Marine Corps, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on March 18, 1968.

EXTENSIONS OF REMARKS

Speech by Senator Jordan, of Idaho, Before Washington, D.C., Section of Society of American Foresters

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Friday, March 29, 1968

Mr. ALLOTT. Mr. President, a few days ago I had the great pleasure of reading the remarks of the distinguished Senator from Idaho [Mr. JORDAN] before the Washington, D.C., Section of the Society of American Foresters on March 19, 1968. I think all Members of the Senate continue to recognize and appreciate the great contributions which the Senator from Idaho continues to make to this body.

From his particular vantage point as a member of the Committee on Interior and Insular Affairs, the Committee on Public Works, the Committee on Aeronautical and Space Sciences, and the Joint Economic Committee, as well as of the Public Land Law Review Commission, Senator JORDAN has the unique capacity to add significantly to the work of the Senate—a capacity which he continually draws upon to add new dimensions and insight into contemporary problems.

In his prepared remarks, Senator JORDAN addressed himself to the question of the influence which the proper use of our land and related resources may have, not only upon the quality of present Ameri-

can life, but also upon future generations. Senator JORDAN has added a significant contribution to the problem of how we must approach this important question in order to strike the proper balance to fit the needs of the greatest public interest in managing and utilizing our great national treasure of land and its related resources.

Mr. President, I ask unanimous consent that the speech by Senator JORDAN be printed in the Extensions of Remarks.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY SENATOR LEN B. JORDAN BEFORE THE WASHINGTON, D.C., SECTION OF THE SOCIETY OF AMERICAN FORESTERS, MARCH 19, 1968

My good friends it has been said that "Man is the product of his environment." As is usual in making such a general statement, this is only partially true. Many other variables enter into the complexities which affect people and which help to mold our civilization. Certainly the proper use of our land and related resources has a major influence, not only on those now living but on generations yet unborn.

It is timely and pertinent that those of us who now have some responsibility concerning the highest and best use of our land resources should meet to analyze and discuss the subject, "The land use: Who calls the shots." The subject is well-chosen and you have heard outstanding land economists discuss the matter in depth here today.

I am honored and certainly appreciate this opportunity to meet with such a distinguished group of people. As a member of the Senate Interior, Public Works, Aeronautical

and Space, and Joint Economic Committees, as well as a member of the Lewis and Clark Trail Commission and of the Public Land Law Review Commission, it is quite evident that I am exposed to many of the current problems concerning uses not only of our land but of the space above as well. In view of these complexities it may well be that at times we can be compared to an old Idaho judge who said, "I have no trouble making up my mind on a case until I have heard both sides." That is one of the many advantages of living in this great country. We do have the privilege of hearing both sides of any issue, and we should make full use and really appreciate the freedom of speech which we have.

If I could in one word express what I consider the paramount goal in our land uses I would say "balance." This word according to Webster means equilibrium, equality, to compare, to counterbalance, equal or to make equal, adjust or to settle.

Multi-purpose is often used where land is utilized for many purposes, but we must balance our land to fit the needs of a particular period of time. We also must balance the use of any specific area of land to those lands which are adjacent or nearby if we are to serve the greatest public interest. To do this where we have private, municipal, county, state or federally owned land in the same general location, or if we have any combination of these ownerships we must have full cooperation and coordination.

We also should define "public interest." How much consideration should be given to the needs and wishes of local people, compared to a greater number of people who are far removed from any specific land. Because some of the land is in federal ownership each person feels that he should have an equal voice in its use and management.